



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

MAYOR BETH DELBUONO

NEWINGTON TOWN COUNCIL REGULAR MEETING AGENDA

**Town Council Chamber, Room 103 – Town Hall
200 Garfield Street**

Tuesday, January 25, 2022, 7:00 P.M.

This meeting will be presented as a Zoom Webinar/Meeting. Information on how to attend will be posted on the website at <https://www.newingtonct.gov/virtualmeetingschedule>

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. PUBLIC PARTICIPATION – IN GENERAL (**Via Zoom Application or Phone**)
(4 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)
 - A. Public Comments
 - B. Email Correspondence
- V. REMARKS BY COUNCILORS ON PUBLIC PARTICIPATION
- VI. EXECUTIVE SESSION
 - A. Personnel §1-200(6)(A) – Town Manager Evaluation
- VII. CONSIDERATION OF OLD BUSINESS
 - A. Health Update – COVID-19
 - B. COVID-19 ARPA Fund Uses
 - C. Acceptance of Grant Award-Affordable Housing Plan Grant
 - D. Town Council Budget Meeting Schedule 2022
 - E. Job Description – Deputy Police Chief (A-11)
 - F. Update to the Classification Plan
 - G. Initiate Charter Revision Process
 - 1. Create Charter Revision Commission
 - H. Ordinance Amendment, Chapter 121, Voting Districts
- VIII. NEW BUSINESS (**Action May Be Taken by Waiving the Rules**)
 - A. Mid-Year Budget Transfers
 - B. Proposed Tax Fixing Agreement at 3333 Berlin Turnpike
 - C. Discussion – Possible Action Under §C-412 of the Newington Town Charter
- IX. RESIGNATIONS/APPOINTMENTS (**Action May Be Taken**)
 - A. Appointments – Various Boards
- X. REFUNDS (**Action Requested**)
 - A. Approval of January 25, 2022 Refunds for an Overpayment of Taxes
- XI. MINUTES OF PREVIOUS MEETINGS
 - A. December 14, 2021 Regular Meeting Minutes

B. January 11, 2022 Regular Meeting Minutes

- XII. WRITTEN/ORAL COMMUNICATIONS FROM THE TOWN MANAGER
- XIII. COUNCIL LIAISON/COMMITTEE REPORTS
- XIV. PUBLIC PARTICIPATION – IN GENERAL (**Via Zoom Application or Phone**)
(3 MINUTE TIME LIMIT PER SPEAKER ON AGENDA ITEMS ONLY)
- XV. REMARKS BY COUNCILORS
- XVI. ADJOURNMENT

AGENDA ITEM: VI.A

DATE: 1/25/2022

RESOLUTION NO. 2022

RESOLVED,

That the Newington Town Council, in accordance with CGS §1-200(6)(A) hereby moves to go into Executive Session, and invites the Town Council members, the Mayor and Keith Chapman, Town Manager, to discuss a Personnel issue: Town Manager.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: January 19, 2022
Re: Health Update – COVID-19

Keith Chapman, Town Manager, will update the Town Council on the status of the COVID-19 virus and the actions being taken within the municipality.



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: January 20, 2022
Re: ARPA COVID-19 Fund Uses

Janet Murphy, Director of Finance, during the January 11, 2022 Regular Meeting, presented two (2) proposals regarding the use of ARPA funds; one to assist local and non-profit businesses that were impacted during the pandemic. Second, the acquisition and installation of a License Plate Reader (LPR) System for the Newington Police Department.

Included as part of this item is a Resolution to endorse the proposed use of the ARPA funds for the above proposals.

Attachment:

- Resolution – Endorsement of Newington Small Business Assistance Program; Acquisition and Installation of a License Plate Reader/Camera System

AGENDA ITEM: VII.B

DATE: 1/25/2020

RESOLUTION NO. 2022-

RESOLVED:

That the Newington Town Council hereby endorses the use of American Rescue Plan Act (ARPA) funds for the following programs/uses:

1. Newington Small Business Assistance Program;
2. Acquisition and Installation of a License Plate Reader/Camera System for the Newington Police Department.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: January 20, 2022
Re: Acceptance of Grant Award-Affordable Housing Plan Grant

During the January 11, 2022 Regular Meeting, the Town Council was presented with a request to authorize the Town Manager to execute the Notice of Grant Award (NOGA) and request for payment to the Department of Housing. We have received an amended Grant Award form that has been extended to March 31, 2022. Any request for payment will require the submission of a Resolution, approved within thirty (30) days, authorizing the execution of the necessary documents, for the payment of the funds.

A Resolution to authorize the Town Manager to execute the necessary acceptance documents has been included for your consideration.

Attachments:

- Resolution – Authorize the Town Manager to Execute the Notice of Grant Award & Request for Payment



STATE OF CONNECTICUT
DEPARTMENT OF HOUSING



NOTICE OF GRANT AWARD - Amendment
Affordable Housing Plan Grant Technical Assistance Program

The State of Connecticut, acting herein by the Department of Housing, hereby makes the following grant award in accordance with Connecticut General Statutes ("CGS") § 8-30j, as amended, the grant solicitation, and the attached request for grant extension, if applicable.

Grantee	Town of Newington		
Address	200 Garfield Street		
City/State/Zip	Newington, CT 06111		
Town Code	094		
Federal Employer ID No.	06-6002047		
State Agency Code	DOH46900		
DOH Grant No.	AHPG: 2020-094-018		
Date Of Award	July 1, 2020		
Period Of Award	From: July 1, 2020	To: June 30, 2021	Extended to: March 31, 2022
Amount Of Award	State: \$ 15,000	Grantee Match: \$ 0	Other: Town Admin. \$ 9,200
Total Budget	\$ 24,200		
Grantee Fiscal Year	From: July 1	To: June 30	

My signature below, for and on behalf of the above named grantee, indicates acceptance of the above referenced award and further certifies that:

1. I have the authority to execute this agreement on behalf of the grantee; and
2. The grantee will comply with all the requirements of the original Notice of Grant Award.

BY: _____
Signature of Authorized Official

Typed Name and Title of Authorized Official

Date

FOR THE STATE OF CONNECTICUT DEPARTMENT OF HOUSING

BY: _____
Signature of Authorized Official

Seila Mosquera-Bruno

Typed Name and Title of Authorized Official

Date

For DOH Business Office Use Only

DEPT	PROG	FUND	SID	ACCOUNT	PROJECT	CHART 1/2	BR
DOH46900	AHPG	12039	40233			n/a	n/a



STATE OF CONNECTICUT
DEPARTMENT OF HOUSING



INVOICE - REQUEST FOR PAYMENT
DEPARTMENT OF HOUSING

TO: DECD/DOH, Office of Finance & Administration
FROM: DOH, Office of Policy, Research and Housing Support

REQUISITION NUMBER _____ AMOUNT REQUESTED \$ _____
PROGRAM: Affordable Housing Plan Technical Assistance Grant (AHPG)
RECIPIENT: _____
ADDRESS: _____
FEDERAL ID (FEIN)/ SS #: _____
INCORPORATED: Yes _____ No _____

SUBMITTED By: _____ DATE: _____
Name& Title

FOR DOH USE ONLY

FUND/SID #: Bond Fund 12039-DOH46000-40233
DOH PROJECT ID#: _____ CONTRACT#: _____
ACCOUNT# (TEPF, SC) (If applicable): _____
BOND COMMISSION APPROVAL DATE: (If Applicable) December 18, 2019
GRANT/SUBSIDY APPROVED AMOUNT: \$ _____
REQUESTED TO DATE: \$ _____ BALANCE: \$ _____

This project/activity is eligible for payment under a fully executed contractual agreement approved by the attorney general. This agreement is on file in the Finance & Administration division. This requisition has been prepared and approved in accordance with DOH programmatic procedures, based upon the recipient's budgetary requirements.

APPROVALS: _____ DATE: _____
Agent/ Specialist/ Coordinator

_____ DATE: _____
Administrator/Director (Designee)

AGENDA ITEM: VII.C

DATE: 1/25/2020

RESOLUTION NO. 2022-

RESOLVED:

That the Newington Town Council hereby authorizes Keith Chapman, Town Manager to execute the Notice of Grant Award-Amendment and the DOH Invoice-Request for Payment for the Affordable Housing Plan Technical Assistance Grant with the Connecticut Department of Housing, a copy of the executed documents to be attached to this Resolution.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: January 20 2022
Re: 2022-2023 Town Council Budget Meeting Schedule

Attached, please find the proposed Town Council Special Meeting schedule to consider the FY 2022-23 budget. The Council does not need to act to schedule the Special Meetings but must vote to approve the dates of the two Public Hearings to be held during the budget session.

Pursuant to Section 805 of the Newington Town Charter, two Public Hearings must be held on the proposed budget for fiscal year 2022-23. The public hearings are tentatively scheduled for the following dates:

Tuesday, March 8, 2022 – 6:00 p.m. (Town Manager's Proposed Budget)

Tuesday, April 5, 2022 – 6:00 p.m. (Town Council's Proposed Budget)

The meetings and public hearings will take place through the use of Zoom Webinar Meeting software, unless otherwise indicated.

A Resolution to approve the 2022-23 Public Hearing Budget schedule has been included for your consideration.

Attach.

- Resolution - Budget Review Schedule, 2022-2023 Budget

AGENDA ITEM: VII.D

DATE: 1/25/2022

RESOLUTION NO. 2022-

RESOLVED:

That the Newington Town Council, pursuant to Section 805 of the Newington Town Charter, will hold two Public Hearings on the proposed Budget for Fiscal Year 2022-2023. These Public Hearings will be held at 6:00 p.m. in the Town Hall (unless otherwise indicated) as follows:

Tuesday, March 8, 2022

Town Manager's Proposed Budget

Tuesday, April 5, 2022

Town Council's Proposed Budget

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

**NEWINGTON TOWN COUNCIL
BUDGET REVIEW SCHEDULE
2022-2023 BUDGET**

Date	Time	Place	Meeting	Schedule
Monday, March 4				Council Receives Budget
Tuesday, March 8	6:00 p.m. 7:00 p.m.	Zoom Webinar or Rm 103 (Council Chambers)	Public Hearing Regular Meeting	<u>Town Manager's Proposed Budget</u> <ul style="list-style-type: none"> Any Regular Council Business <u>Departmental Budget Reviews</u> <ul style="list-style-type: none"> Overview of budget and budget procedures General Government (Town Council, Town Manager, Courts, Elections, Finance, Town Attorney, Town Clerk/Records Administration, Personnel, General Services, Facilities Management, Information Technology) Public Safety (Fire, Police, Street Lighting, Emergency) Management, EMS, Hydrants) Public Works (Engineering, Highway, Solid Waste Community Development and Improvements (Town Planner, TPZ, ZBA, Building Department, Conservation Commission, Economic Development Commission)
Saturday, March 19	9:00 a.m.	Zoom Webinar or Rm 103 (Council Chambers)	Special Meeting	<u>Departmental Budget Reviews</u> <ul style="list-style-type: none"> CIP Debt Service Equipment Reserve Revenues Special Revenue Funds/Other Funds Human Services Library Senior and Disabled Center Parks and Recreation/Grounds Health Insurance/Misc. MDC Employee Leave Liability
Tuesday, March 22	7:00 p.m.	Zoom Webinar or Rm 103 (Council Chambers)	Regular Meeting	<ul style="list-style-type: none"> Any Regular Council Business <u>Departmental Budget Reviews</u> <ul style="list-style-type: none"> Board of Education Miscellaneous programs not previously discussed Set Tentative Budget
Tuesday April 5	6:00 p.m. 7:00 p.m.	Zoom Webinar or Rm 103 (Council Chambers)	Public Hearing Special Meeting	<u>Town Council's Proposed Budget</u> <ul style="list-style-type: none"> Changes to proposed budget, if needed
Tuesday April 12	7:00 p.m.	Zoom Webinar or Rm 103 (Council Chambers)	Regular Meeting	<ul style="list-style-type: none"> Regular Council Business
Tuesday, April 19	7:00 p.m.	Zoom Webinar or Rm 103 (Council Chambers)	Special Meeting	<ul style="list-style-type: none"> Any Council Business Adopt Budget and Set Mill Rate

*Per Charter §C-805: Within 20 days after holding the second public hearing, the Council shall complete its consideration of the budget and after making such modifications and amendments to said budget as it may deem advisable, it shall adopt the Town budget by a majority vote of all its members.



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

OFFICE OF THE TOWN MANAGER

James E. Krupienski CCTC
Town Clerk

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: January 20, 2022
Re: Job Description – Deputy Police Chief (A-11)

The Draft Job description for the Police Chief (A-11), is proposed as a new position within the Classification and Pay Plan.

This job description is under the direct supervision of the Chief of Police. This position would assume command of the department in the absence of the Police Chief, assist with the coordination and direction of Police Lieutenants, Sergeants, Police Officers, Dispatchers and Civilian Staff.

I am requesting that the Town Council consider approving the proposed job description, as presented. Under Old Business, we will also a proposed approval to update the Classification and Pay Plan and ensure that all titles and salary grades are properly referenced.

A Resolution to adopt the Job Description has been included for your consideration this evening.

Attachments:

- Resolution - Job Description – Deputy Police Chief (A-11)

AGENDA ITEM: VII.E

DATE: 1/25/2022

RESOLUTION NO. 2022-

RESOLVED:

The Newington Town Council hereby approves the amendment to the "Classification and Pay Plan" by approving a job description for the Deputy Police Chief (A-11) position, as recommended by Keith Chapman, Town Manager, in his capacity as Personnel Director.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

TOWN OF NEWINGTON

TITLE: Deputy Chief of Police

GRADE: A-11

DEPARTMENT: Police

COUNCIL ADOPTED: January 25, 2022

POSITION DESCRIPTION

Under the general direction of the Chief of Police, assists, directs, coordinates and supervises Police Lieutenants, Sergeants, Police Officers, Dispatchers and Civilian Staff. Acts as Executive Officer responsible for departmental administration; exercises oversight of the patrol, detective and support services divisions and coordinates activities with other members of the staff. Assumes command of Police Department in the absence of the Police Chief. On call 24 hours per day.

ESSENTIAL JOB FUNCTIONS

- Prepares management reports, surveys, in-house investigative reports, personnel assessments, productivity studies, feasibility reports; controls use and availability of departmental equipment, supplies, and personnel.
- Administers the personnel function of the Police Department including candidate testing, selection process, promotions, etc., as required by the Chief of Police.
- Supervises internal investigations as required by the Chief of Police; recommends disciplinary action for violations of department rules and regulations, policies and procedures, or unsatisfactory performance.
- Designs, promotes and monitors the implementation of departmental policy.
- Assists the Chief of Police in preparing and administering the annual department budget; reviews activity reports and responds to public and media inquiries.
- Acts as liaison with the federal, state, municipal agencies, private groups, State's Attorney, state court system, Department of Motor Vehicles and with regional consortiums.
- Oversees investigations of major crimes.
- Assumes command of the Police Department in the absence of the Police Chief.
- Confers and takes part in administrative staff meetings.

ADDITIONAL JOB FUNCTIONS

- Performs related duties as required.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

- Thorough knowledge of current municipal police practices and procedures.
- Working knowledge of the Connecticut Criminal Justice System.
- Working knowledge of social trends and indicators and their impact on law enforcement policy.
- Administrative and executive ability to initiate, organize and follow through on municipal programs and projects.
- The ability to deal effectively with staff, town officials, and members of the public.
- Working knowledge of labor relations.
- Must be able to supervise.
- Ability to present ideas and policies to individuals, groups, and the media.
- Ability to train, organize, supervise and evaluate work of employees consistent with the Town's quality service goals and development of cost-effective, customer-friendly service delivery.
- Ability to monitor new issues, laws and techniques appropriate to the Chief of Police functions and responsibilities.
- Ability to understand municipal operations and budgetary impacts.
- Knowledge of and ability to interpret and apply all current Federal, State and local laws, ordinances, departmental policies, procedure and rules and regulations governing responsibilities related to municipal government programs and operations within jurisdiction of department.

- Ability to establish and maintain effective working relationships with employees, supervisors, other agencies, the media and the general public.
- Ability to clearly express oneself orally and in writing.
- Ability to work effectively with other employees, superiors and the general public in person and via the telephone.

REQUIRED PHYSICAL AND MENTAL EFFORT AND ENVIRONMENTAL CONDITIONS

(The physical demands and work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.)

- Exposure to video display terminals on a daily basis.
- Ability to work under stress from demanding deadlines and changing priorities and conditions.
- Ability to sit/ remain/ stand continuously for prolonged periods of time.
- Ability to hear normal sounds with some background noise and to communicate effectively.
- Ability to concentrate on fine detail with constant interruption.
- Ability to attend to task/ function for more than 60 minutes at a time.
- Ability to carry and lift documents and office equipment weighing up to 25 pounds.
- Ability to file letters, correspondence, reports, etc. in file cabinet drawers ranging from 1' to 7' from the floor.
- Ability to remember multiple task/ assignments given to self and others over long periods of time.
- Ability to attend and participate in numerous night meetings during the year.
- Ability to move within Town buildings and facilities and work continuously for extended periods of time.
- Ability to distinguish between public and confidential information and handle appropriately.
- Ability to apply new information, technology and legislation applicable to departmental activities.
- Ability to work in office setting subject to continuous interruptions, background noises, heavy traffic flow and heavy work volume expectations and perform outside inspections which may include exposure to fluctuations in temperature and seasonal weather including wetness and humidity.
- Ability to get into and out of an automobile.
- The noise level in the work environment is usually quiet in the office.

REQUIRED MINIMUM QUALIFICATIONS

The skills and knowledge required would generally be acquired with:

- A High School diploma.
- Training in general police methods.
- four years police experience at the command level of a major police division or its equivalent.

LICENSE OR CERTIFICATE

Must possess:

- A valid Connecticut Driver's license.
- Current Connecticut POSTC Certification.

Note: The above description is illustrative of tasks and responsibilities. It is not meant to be all-inclusive of every task or responsibility.

I understand that nothing in this position description restricts the Town's right to assign or reassign duties and responsibilities to this job at any time. I also understand that this position description reflects the Town Administration's assignment of essential functions; it does not prescribe nor restrict the tasks that may be assigned. I further understand that this position description may be subject to change at any time due to reasonable accommodation or other reasons.

I have reviewed this document and discussed its contents with my supervisor and I fully understand the nature and purpose of this position description and its related duties.

Employee

Date

Supervisor

Date



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: January 20, 2022
Re: Amendment to Classification and Pay Plan – Salary Table

During the January 11, 2022 Regular Meeting, the Town Council was presented an updated list for the Administrative Group Pay Ranges in effect as of July 1, 2021.

In accordance with Chapter §902 of the Newington Charter, all amendments to the Classification and Pay Plan, upon the recommendation of the Town Manager, must be approved by Resolution of the Town Council.

A Resolution to approved the updated Administrative Group Pay Ranges has been included for Council consideration.

Attachment:

- Resolution - Classification & Pay Plan, Salary Table Update

**TOWN OF NEWINGTON
ADMINISTRATIVE GROUP PAY RANGES
EFFECTIVE July 1, 2021
Note: based on 2% increase for 2021-2022**

<u>GRADE</u>	<u>POSITION</u>	Min	Max
A-1	Administrative Aide I Elderly Worker Youth Worker	\$ 35,454.63	\$ 67,769.21
A-2	Social Worker I	\$ 40,013.33	\$ 72,992.58
A-3	Assistant Town Clerk Central Supply Supervisor Educational Material Supervisor Highway Parts Coordinator	\$ 43,202.49	\$ 79,451.14
A-4	Admin. Coordinator, Sr. & Dis. Center Administrative Secretary Assistant Revenue Collector Civilian Evidence & Property Officer Digital Content Specialist Program Coord., Sr. & Dis. Center School Nurse Youth Worker II Recreation Program Specialist (effective 2018)	\$ 46,424.52	\$ 84,603.93
A-5	Administrative Aide II Admin. Asst. to the Chief Computer/Application Specialist Exec. Asst. to the Supt. (Board of Education) Geographic Information Systems (GIS) Tech. Occupational Therapist (Board of Education) Physical Therapist (Board of Education) Student Application (Board of Education) Animal Control Officer (Shared Services)	\$ 49,989.12	\$ 94,513.59
A-6	Accounts Administrator Asst. Athletic Director (Bd. of Education) Asst. to the Town Manager for Admin. Director of Administrative Services Information Systems Specialist (Board of Ed.) Insurance and Benefits Admin. Network Administrator/Project Leader Network/Application Specialist Public Works Administrative Coordinator Recreation Supervisor Social Worker II Youth Services Counselor	\$ 53,830.95	\$ 101,763.44
A-7	Assistant Building Inspector Assistant Town Planner/ZEO Assistant Highway Superintendent Clerk of the Works Clinical Casework Coordinator/Clin. Soc. Worker Deputy Assessor Financial Casework Coordinator Public Works Coordinator Operations/Project Manager	\$ 57,980.19	\$ 105,674.87

<u>GRADE</u>	<u>POSITION</u>		
A-8	Assistant Library Director Assistant Superintendent of Parks & Rec. Board Certified Behavior Analyst Deputy Director of Finance Revenue Collector Supervisor of Parks, Grounds & Cemeteries Transportation Supervisor	\$ 62,507.57	\$ 113,828.34
A-9	Building Maintenance & Custodial Supervisor Building Official Custodial/Maintenance Supervisor (Board of Ed.) Director of Senior and Disabled Center Director of Facilities Management Fire Marshal Town Clerk/Records Administrator	\$ 67,204.31	\$ 127,091.49
A-10	Director of Cafeterias Director of Human Services Library Director Superintendent of Highways Town Assessor	\$ 72,482.19	\$ 131,971.50
A-11	Supt. Of Parks and Recreation Town Planner Deputy Chief of Police	\$ 78,072.11	\$ 142,101.56
A-12	Assistant Town Manager Chief Information Officer Town Engineer	\$ 84,039.02	\$ 153,218.76
A-13	Chief of Police Director of Finance	\$ 90,518.64	\$ 164,972.79

AGENDA ITEM: VII.F1

DATE: 1/25/2022

RESOLUTION NO. 2022-

RESOLVED:

That the Newington Town Council hereby authorizes Keith Chapman, Town Manager to update and modify the Administrative Group Pay Ranges within the Town Classification and Pay Plan, dated July 1, 2021, and adopted as of January 25, 2021, a copy of which is attached to this Resolution.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupinski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: January 21, 2022
Re: Creation of a Charter Revision Commission

This item has been included to initiate the creation of a Charter Review Commission as discussed during the January 11, 2022. This commission is proposed to have five (5) member makeup, with the members being appointed at the February 8th or 22nd meetings. The Charter was previously reviewed and adopted in 2012.

Included is the Resolution initiate the creation of the commission under the Connecticut General Statutes.

During the February 8th or 22nd meeting the Town Council will need to appoint the members to the commission and supply it with a charge to review under the current Charter. This charge would not preclude them for reviewing other sections which were not included in the initial charge.

Attachment:

- Resolution to Initiate the Charter Revision Process

AGENDA ITEM VII.G

DATE: 1/25/2022

RESOLUTION NO. 2022 -

RESOLVED:

WHEREAS, the Town of Newington, as a municipal corporation, has the power to amend its Town Charter in the manner set forth in Connecticut General Statutes §7-187 through §7-193;

WHEREAS, the Newington Town Council is contemplating a revision of the Newington Town Charter for the purpose of bringing said Charter up to current standards in the State of Connecticut and to eliminate any inconsistencies that may currently exist with the State of Connecticut Constitution and /or the Connecticut General Statutes; and

WHEREAS, pursuant to Connecticut General Statutes §7-188, the proper method for the Newington Town Council to initiate the revision of the Town Charter is by way of a resolution adopted by a two-thirds vote of its entire membership;

NOW, THEREFORE BE IT RESOLVED, The Newington Town Council hereby approves of the initiation of action for the amendment and revision of the Newington Town Charter pursuant to Connecticut General Statutes §7-188.

BE IT FURTHER RESOLVED, The Newington Town Council, in accordance with Connecticut General Statutes §7-190, shall within thirty days (30) of the date of approval of this current resolution appoint, by way of a separate resolution, a Commission consisting of five to fifteen members whose purpose shall be to draft amendments to the Newington Town Charter using the procedures set forth in Connecticut General Statutes §7-187 through §7-193. No, more than one-third of the membership of said Commission shall hold any other public office in the Town of Newington. No more than a bare majority of said Commission shall be members of one political party.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: January 21, 2022
Re: Ordinance Amendment, Chapter 121, Voting Districts

Based on the data received from the 2020 Census, the Town of Newington will now have only to (2) House Districts (20th & 27th) and Senate District #9. Based on these changes it will be necessary to review and update the voting districts within town.

Attached you will find the 2022 House Districts map showing the new 20th and 27th district lines. During the January 11, 2022 Regular Meeting the Registrars of Voters presented a redistricting plan showing a reduction of districts from eight (8) to three (3). These were proposed as District #1, Mortensen Community Center; District #2, Ruth Chaffee Elementary School; and District #3, John Wallace Middle School.

The current districts are approved as part of the Town Code and will require the Town Council to schedule a Public Hearing once a decision has been made on the revised districts.

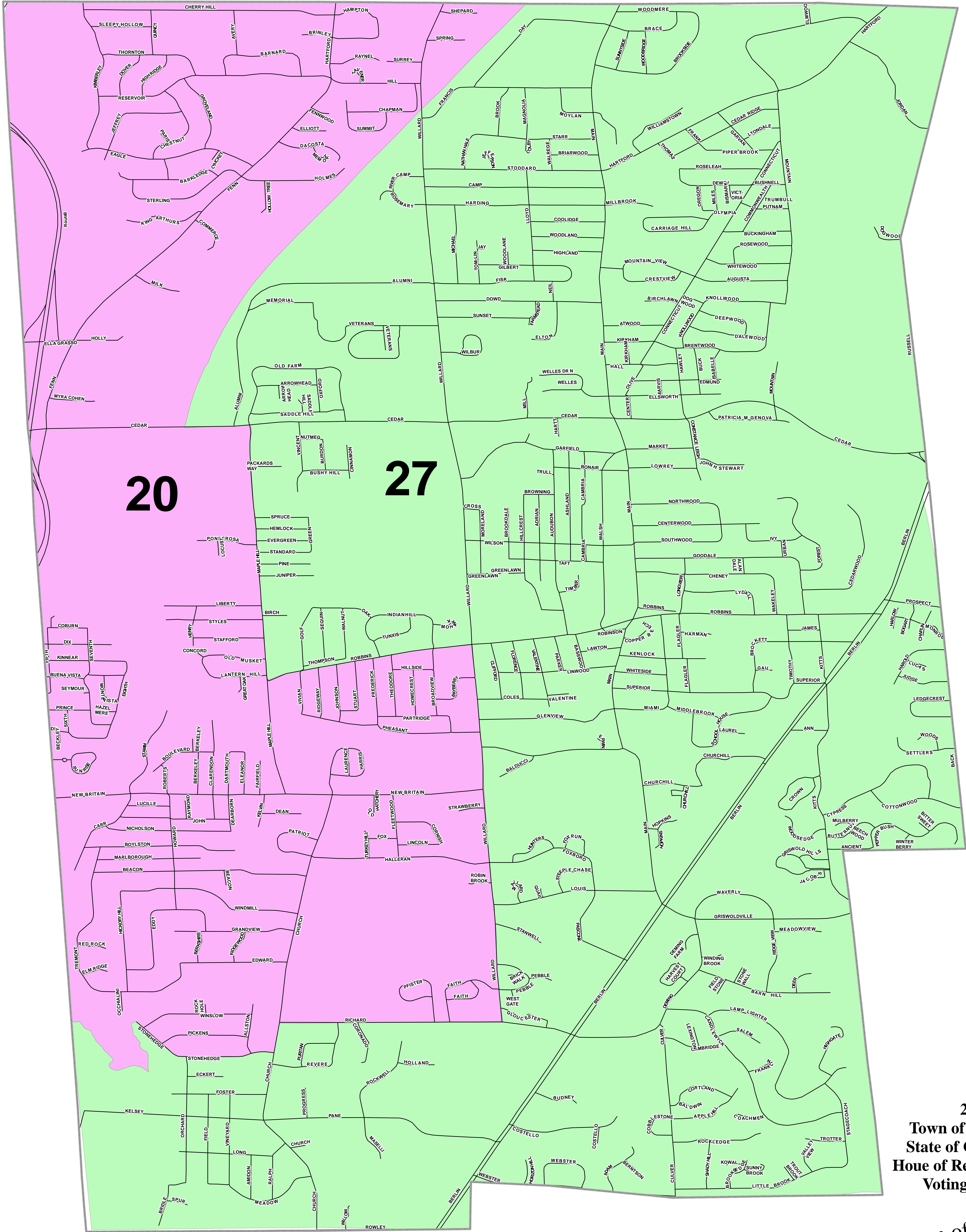
The process for amending Town Ordinances is dictated by §C-405 and §C-406 of the Town Charter. The process generally spans over at least three Council meetings. A resolution will appear on the January 25, 2022 meeting for introduction and scheduling of the Public Hearing. This would:

- 1) To introduce the proposed amended language for the ordinance, as shown, and
- 2) To set a Public Hearing date (typically scheduled for immediately prior to the next Council meeting)

The Council may discuss and consider whether to approve the amendment at the Regular Council meeting immediately following the Public Hearing. If approved, the amended ordinance would go into effect 15 days after publication.

Attachments:

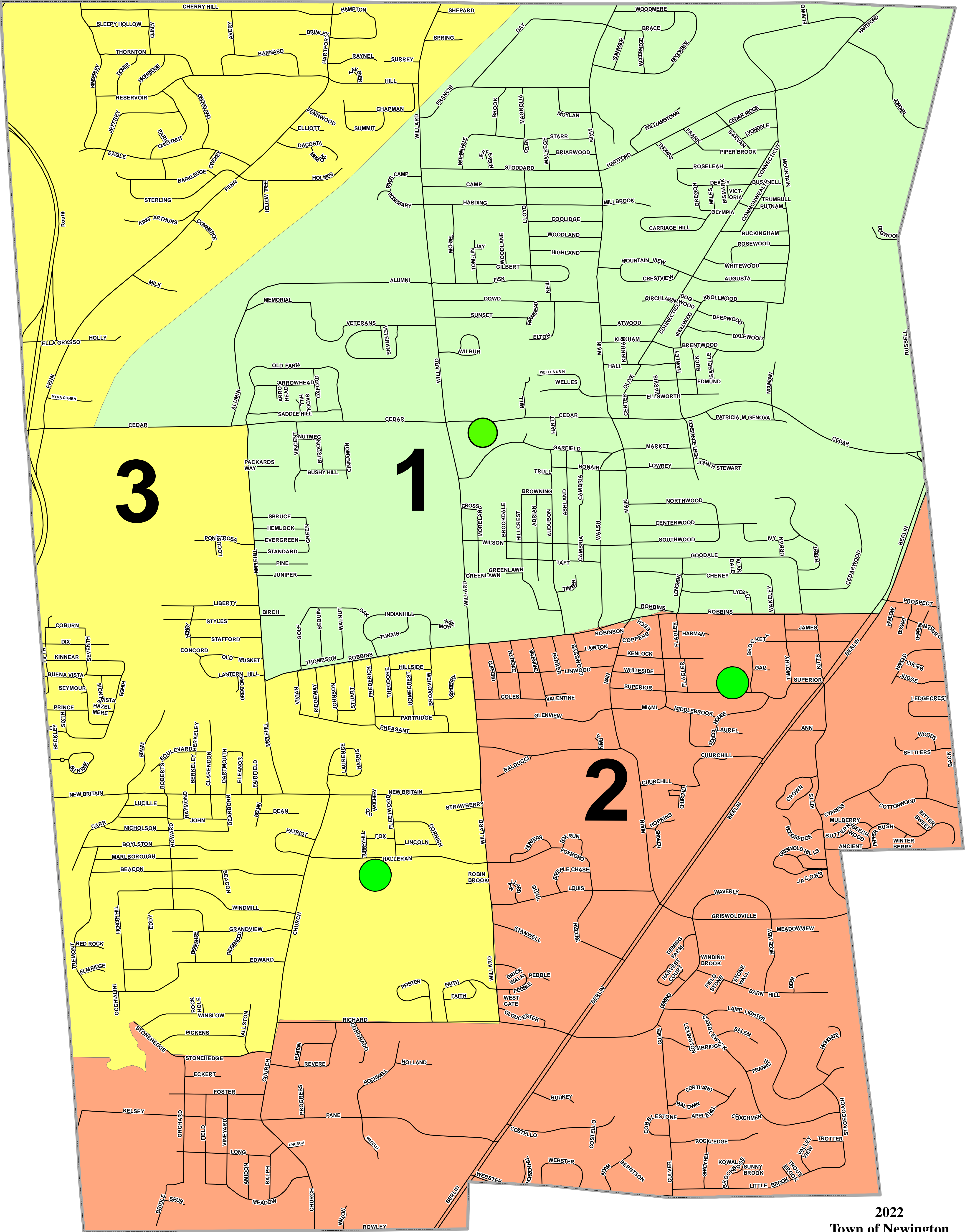
- 2022 Town of Newington, State of Connecticut, House of Representatives Voting Districts
- State Senate Redistricting Plan 2021 Map
- 2022 Town of Newington Voting Districts
- Current Code language, Chapter 121, §121-1 & 2, Voting Districts
- Current 2012 Town of Newington Voting District Map
- Draft Proposed language, Chapter 121, §121-1 & 2 Voting Districts



2022
Town of Newington
State of Connecticut
House of Representatives
Voting Districts



Map Published 9/14/2021
 Prepared by the Town of Newington
 Information Technology Department GIS Services
 200 Garfield Street, Newington, CT 06111



District 1: Mortensen Community Center
200 Garfield Street

District 2: Ruth Chaffee Elementary School
160 Superior Avenue

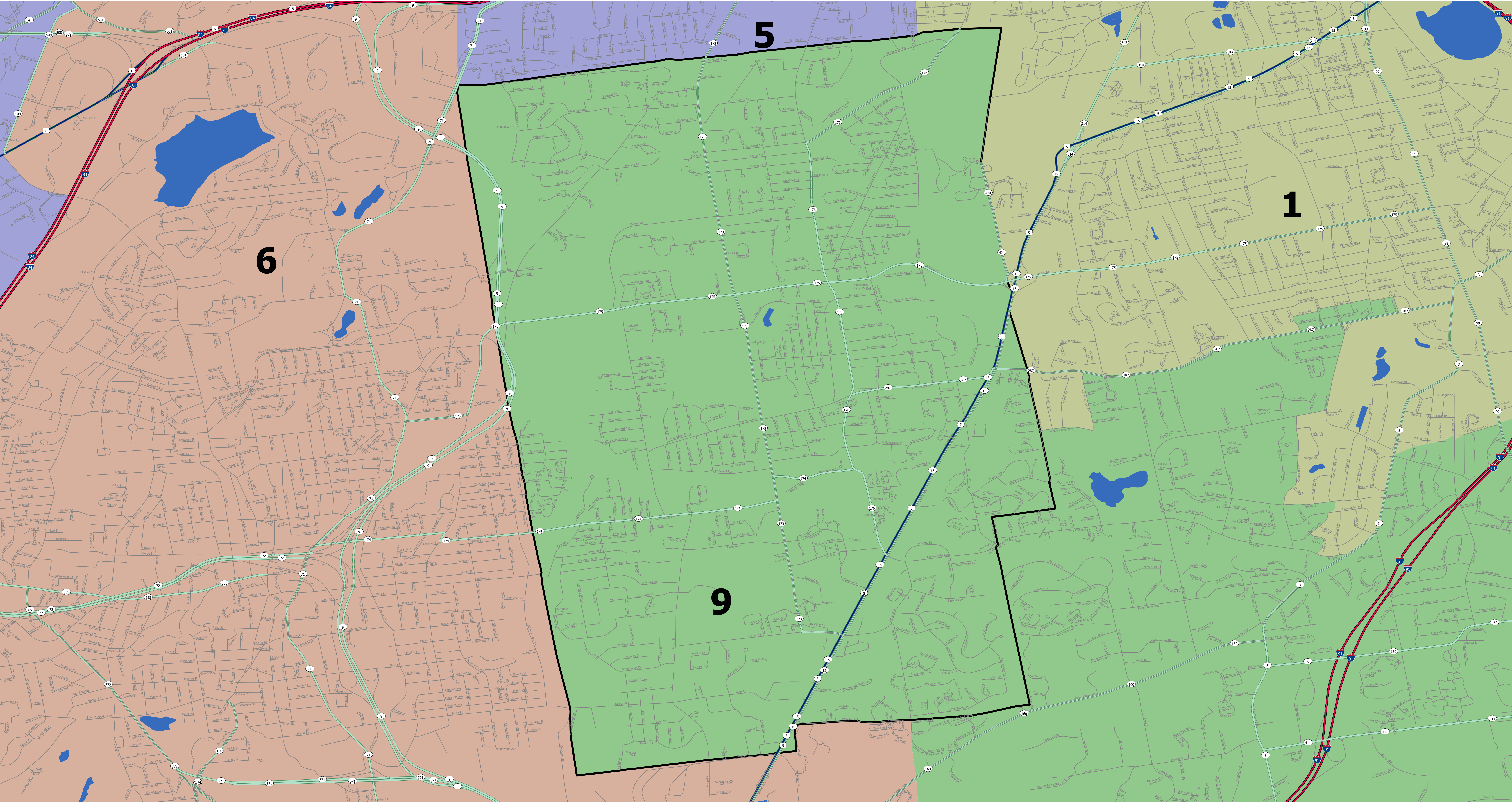
District 3: John Wallace Middle School
71 Halleran Drive

2022
Town of Newington
Voting Districts



Map Published 9/14/2021
Prepared by the Town of Newington
Information Technology Department GIS Services
200 Garfield Street, Newington, CT 06111

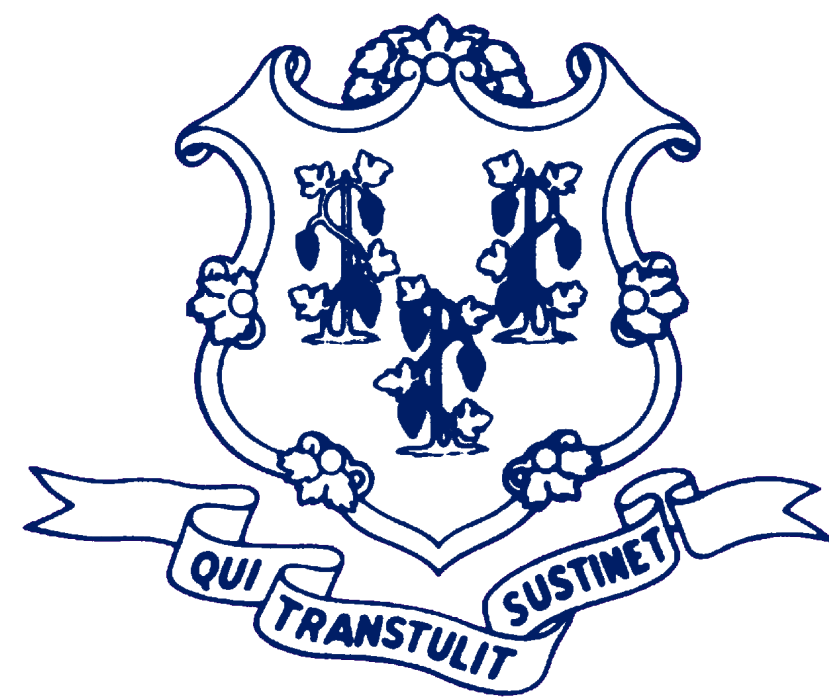
State Senate Redistricting Plan 2021 - Newington Senate District(s)



The Connecticut General Assembly Reapportionment Commission

Senate

Senate Minority Leader Kevin Kelly
Senate President Pro Tempore Martin Looney
Senate Majority Leader Bob Duff
Senator Paul Formica



Honorable John P. McKinney
Jim Tamburro, Project Coordinator

House

Speaker of the House Matt Ritter
House Minority Leader Vincent Candelora
House Majority Leader Jason Rojas
Representative Jason Perillo

Chapter 121

Voting Districts

[HISTORY: Adopted by the Town Council of the Town of Newington 3-16-1982; amended 8-20-1983; 9-19-1989; 2-25-1992 by Ord. No. 9193-1; 3-12-2002 by Ord. No. 0103-1 (Ch. 5 of the 1974 Code)]

GENERAL REFERENCES

Registrars of Voters — See Ch. 104.

§ 121-1 Districts established. **[Amended 3-27-2012]**

The Town shall be divided into eight voting districts, the boundaries of which shall be as shown on the map entitled "2012 Town of Newington Voting Districts," which is appended hereto.

§ 121-2 Polling places.

Polling places for the various voting districts will be at the following locations:

District 1: Mortensen Community Center, Garfield Street.

District 2: Ruth L. Chaffee School, 160 Superior Avenue.

District 3: Anna M. Reynolds School, 85 Reservoir Road.

District 4: Elizabeth Green School, 30 Thomas Street.

District 5: John Wallace Middle School, Halleran Drive.

District 6: John Paterson School, 100 Church Street.

District 7: Martin Kellogg Middle School, 155 Harding Street.

District 8: John Wallace Middle School, Halleran Drive.

Attachments:

[121a Voting Districts](#)

2012 TOWN OF NEWINGTON VOTING DISTRICTS

Farmington

West Hartford

Hartford

New Britain

Wethersfield

Rocky Hill

Berlin

Senatorial District

The entire Town of Newington is in the 9th Senatorial District.

Voting Hours

Polling locations open at 6:00 AM and close at 8:00 PM.

Districts 1,2,3,4,6,7 = 27th State House District

Districts 5 = 24th State House District
Districts 8 = 29th State House District

N

0 3,000
Feet
1 in = 3,000 feet



Prepared by
Dept. of
Info. Tech.
GIS Services
131 Cedar St.
Newington, Ct 06111

Voting Districts Location

- District 1 - TOWN HALL
- District 2 - RUTH CHAFFEE
- District 3 - ANNA REYNOLDS
- District 4 - ELIZABETH GREEN
- District 5 - JOHN WALLACE
- District 6 - JOHN PATERSON
- District 7 - MARTIN KELLOGG
- District 8 - JOHN WALLACE

Chapter 121

Voting Districts

§ 121-1 **Districts established.**

The Town shall be divided into three voting districts, the boundaries of which shall be as shown on the map entitled "2022 Town of Newington Voting Districts," which is appended hereto.

§ 121-2 **Polling places.**

Polling places for the various voting districts will be at the following locations:

District 1: Mortensen Community Center, 200 Garfield Street.

District 2: Ruth L. Chaffee School, 160 Superior Avenue.

District 3: John Wallace Middle School, 71 Halleran Drive.

Attachments:

[121a Voting Districts](#)



Keith Chapman
Town Manager

TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

Finance Department

Janet Murphy
Director of Finance

Memorandum

To: Keith Chapman, Town Manager
From: Janet Murphy, Director of Finance
Date: January 25, 2022
Re: Mid-Year Appropriation Transfers for FY 2021-2022

Attached is an interim financial report for the Town's General Fund as of December 31, 2021 for the fiscal year ending June 30, 2022. Estimates of revenues and expenditures projected through June 30, 2022 are included in this report.

Revenues

General fund revenues are estimated to be up approximately \$3.5 million from the 2021-22 adopted level. The majority of this increase is from Motor Vehicle taxes, State of Connecticut Pilot Grants, town charges for services, State of Connecticut Municipal Grants in Aid and Education Cost Sharing Grants.

Taxes: The rate of tax collection on the current levy through December 31st is up slightly from the same period as last year. . There is a positive trend of \$480 thousand on motor vehicle tax levies. We will monitor tax collection activity closely through the remainder of the year.

PILOTS and State/Federal Aid: Currently, we are projecting these categories to have a net increase of approximately \$2.5 million compared to the adopted budget. The Town's estimated revenues were based on the Governor's proposed budget before major changes were made to the amount we receive in Pilot funds and other grants. In the past we would receive Pilot funds for State-Owned property and Tax Exempt Colleges & Hospitals. We are now receiving what they are calling a Tiered Pilot Grant which combines these two items and we received an increase in the amount received of \$1.8 million over prior year receipts. Additionally, the Town is expected to receive an increase in the amount from the state for Municipal Grants in Aid and Education Cost Sharing in the amount of \$419 thousand and \$359 thousand.

Other Revenue: Interest earnings are trending less than anticipated due to the pandemic effect on the market. This shortfall is being offset by the increase in building permit fees activity and Town Clerk Fees that have been collected.

Expenditures

Analysis through the first six months of the fiscal year projects expenditures to be slightly favorable to budget. This is a very conservative estimate and there may be some surpluses related to the Highway and Sanitation area but at this time it is too soon to estimate these. A good storm or increase in the trash collection rates could wipe out any surplus that we would hope to have.

We are also keeping a watch on the Police Department budget. With the change in personnel, we will see vacation payouts for those leaving and will have to pay fees to other organizations for some of the experienced officers that we will be hiring. Lastly, the overtime budget for the Police Department is very high at this time due to the resignation and COVID leaves that have been required. The transfers below show the \$128K that we are requesting be moved to the Police Department but there may need to be further transfers in the future.

Appropriation Transfers

As you know, the Town Charter allows appropriation transfers only in the last six months of the fiscal year. The following is a list of departments that require additional funds to prevent overdrafts. In all cases, estimated savings in other departments cover these amounts. The chart below lists the departments and amounts requested to cover shortages mainly due to wage increases, Elderly Relief Program and personnel changes.

Department	Amount requested
110 Town Council	\$2,170
150 Finance	\$14,900
170 Town Clerk	\$4,660
180 Personnel	\$14,960
190 General Services	\$7,000
210 Police Department	\$128,000
280 Hydrants	\$420
310 Engineering	\$2,500
420 Town Planner	\$5,200
450 Building Department	\$5,000
610 Human Services	\$7,500
810 Parks & Recreation – Administration	\$7,500
Total	\$199,810

- **960 Contingency:** Wage increases for contracts that have not been settled and therefore are not included in the departmental budgets are planned here. The largest amount for this year is the transfer of \$128,000 for salary to the Police Department. This union contract was not finalized when we approved the budgets last year. This line item is also used for unplanned expenditures.
Amount Available - \$199,810

I am also requesting the following transfers:

To bring the bonding premium into the general fund to cover the interest payments on the bond that we took out for the new Town Hall in 2019 and 2020.

- 31110-8550 Transfer to the General Fund - transfer from (\$448,500)
- 11014-8220 Interest Expenses – transfer to \$448,500

Transfer the funds for IT expenses from the CIP account into the new Technology Fund that was established after we adopted the budget.

- 30197-88411 Computer Replacement – transfer from (\$1,814,701.14)
- 3006 – Technology Fund - transfer to \$1,814,701.14

Lastly, transfer within the CIP Fund from the Town Irrigation project to General Property Improvements. The Town Hall irrigation system work has been completed and these funds will help replenish some of the funds that the General Property Improvements account used for the Dog Park fencing.

- 30195-88121 Town Hall Irrigation System – transfer from (\$10,425)
- 30195-General Property Improvements – transfer to \$10,425

I will be in attendance at the Town Council meeting on January 25th to answer any questions the council may have.

TOWN OF NEWINGTON

Status of Revenues

As of December 2021

	2021-22					
	REVISED	YTD	REMAINING	PCT		
<u>ACCOUNT DESCRIPTION</u>	<u>BUDGET</u>	<u>REVENUE</u>	<u>REVENUE</u>	<u>COLLECTED</u>	<u>Estimate</u>	<u>Variance</u>
5001 Current Levy	97,285,763	62,985,781	34,299,982	64.74%	97,285,763	-
5002 Prorated Motor Vehicles	1,130,637	5,971	1,124,666	0.53%	1,130,637	-
5004 Prior Year Tax Levies	400,000	412,872	(12,872)	103.22%	525,000	(125,000)
5005 Interest & Liens	350,000	197,094	152,906	56.31%	350,000	-
5007 Motor Vehicles	8,540,000	8,920,153	(380,153)	104.45%	9,020,153	(480,153)
TOTAL TAXES	107,706,400	72,521,871	35,184,529	67.33%	108,311,553	(605,153)
5101 State-Owned Property	14,719	-	14,719	0.00%	-	14,719
5102 - Tiered PILOT	-	3,735,023	(3,735,023)	0.00%	3,735,023	(3,735,023)
5105 Disabled Exemption	5,000	5,309	(309)	106.18%	5,309	(309)
5107 Add'l Veteran's Exemption	25,011	19,793	5,218	79.14%	19,795	5,216
5109 Tax Exempt Colleges & Hospital	1,939,870	-	1,939,870	0.00%	-	1,939,870
TOTAL PILOTS	1,984,600	3,760,125	(1,775,525)	189.47%	3,760,127	(1,775,527)
5201 New Meadow Housing	16,000	16,248	(248)	101.62%	16,248	(248)
TOTAL ASSESSMENTS	16,000	16,248	(248)	101.55%	16,248	(248)
5301 Building Permits	325,000	267,690	57,310	82.37%	400,000	(75,000)
5302 Vendor's Permits	2,000	1,100	900	55.00%	2,000	-
5305 Gun Permits	10,000	7,700	2,300	77.00%	10,000	-
5306 Raffle & Bingo Permits	500	20	480	4.00%	500	-
5308 Work Within Rights of Way	20,000	8,900	11,100	44.50%	20,000	-
5310 Refuse Handling License	2,000	240	1,760	12.00%	2,000	-
5713 Health Department Fees	-	-	-	#DIV/0!	-	-
TOTAL LICENSES & PERMITS	359,500	285,650	73,850	79.46%	434,500	(75,000)
5402 Town Hall Rental Receipts	2,000	-	2,000	0.00%	-	2,000
5403 Indian Hill Country Club	48,000	27,000	21,000	56.25%	48,000	-
5404 Other Town Property	50,000	26,225	23,775	52.45%	50,000	-
TOTAL RENTALS	100,000	53,225	46,775	53.23%	98,000	2,000
5501 Interest Earnings	100,000	33,933	66,067	33.93%	70,000	30,000
TOTAL INVESTMENT INCOME	100,000	33,933	66,067	33.93%	70,000	30,000
5601 Littering Violations	-	100.00	(100)		100	(100)
5602 Parking Tickets	11,000	4,133	6,867	37.57%	11,000	-
5603 False Alarms	10,000	6,237	3,763	62.37%	10,000	-
5605 Blighted Premises	1,000	-	1,000	0.00%	1,000	-
TOTAL FINES	22,000	10,470	11,630	47.59%	22,100	(100)
5702 Conservation Commission	5,000	3,700	1,300	74.00%	5,000	-
5703 Zoning Board of Appeals	600	750	(150)	125.00%	800	(200)
5704 Town Planning & Zoning	10,000	18,580	(8,580)	185.80%	25,000	(15,000)
5705 Town Clerk Fees	475,000	474,379	621	99.87%	700,000	(225,000)
5706 Police	10,000	3,856	6,144	38.56%	10,000	-
5707 Human Services	4,000	30	3,970	0.75%	1,000	3,000
5708 Library - Overdue Fines	5,000	1,275	3,725	25.50%	5,000	-

5709 Dial-A-Ride Tickets	3,000	637	2,363	21.23%	3,000	-
5711 Engineering Fees	1,275	159	1,116	12.47%	1,000	275
5712 Scrap Metal Curbside	20,000	9,969	10,031	49.85%	20,000	-
TOTAL CHARGES FOR SERVICES	533,875	513,335	20,540	96.15%	770,800	(236,925)
5802 Refunds-Town	10,000	15,457	(5,457)	154.57%	20,000	(10,000)
5803 Refunds-Schools	10,000	29,955	(19,955)	299.55%	31,000	(21,000)
5822 Recycling Rebates	10,000	991	9,009	9.91%	2,000	8,000
TOTAL REFUNDS & REIMBURS.	30,000	46,403	(16,403)	154.68%	53,000	(23,000)
5902 Other	4,720	2,099	2,621	100.00%	4,720	-
5904 Library-Sale Earbuds/Jump Drives	300	46	254	15.33%	300	-
TOTAL SALE-TOWN PROPERTY	5,020	2,145	2,875	42.73%	5,020	-
6005 Mashantucket Pequot Fund	164,924	-	164,924	0.00%	164,924	-
6006 Youth Services Bureau	20,368	10,580	9,788	51.94%	20,368	-
6013 Telecommunications Tax	98,500	-	98,500	0.00%	85,000	13,500
6015 Emergency Management	18,459	-	18,459	0.00%	18,459	-
6022 Municipal Grants in Aid	1,365,802	-	1,365,802	0.00%	1,785,740	(419,938)
6054 Adult Education	43,236	29,717	13,519	68.73%	44,576	(1,340)
6056 School Building Grants	20,000	-	20,000	0.00%	20,000	-
6058 Health Services	2,655	-	2,655	0.00%	-	2,655
6062 Education Cost Sharing	13,772,951	3,532,950	10,240,001	25.65%	14,131,800	(358,849)
6201 Other	-	154	(154)	0.00%	-	-
TOTAL STATE-AID	15,506,895	3,573,401	11,933,494	23.04%	16,270,867	(763,972)
d6101 Senior Citizen Trans Ai	9,000	5,685	3,315	63.17%	9,000	-
6114 FEMA Storm Assistance	300,000	289,082	300,000	0.00%	300,000	-
TOTAL FEDERAL AID	309,000	294,767	303,315	0.00%	309,000	-
6203 Cancelled PY Encumbranc	60,000	-	60,000	0.00%	60,000	-
TOTAL MISCELLANEOUS	60,000	-	60,000	0.00%	60,000	-
6302 United Way	-	-	-	0.00%	-	-
6307 Youth-Adult Council Don	-	-	-	0.00%	-	-
TOTAL DONATIONS	-	-	-	50.00%	-	-
7001 Transfere from CNRe Fund	-	-	-	0.00%	-	-
7002 Transfer from Public Building	-	-	-	0.00%	-	-
7012 Transfer from Cemetery Fund	171,518	171,518	-	100.00%	171,518	-
7021 Transfer from Cemetery Trust	70	-	70	0.00%	70	-
7022 Transfer from Hubbard Trust	30	-	30	0.00%	30	-
TOTAL TRF FROM OTHER FUNDS	171,618	171,518	100	99.94%	171,618	-
TOTAL General Fund	126,904,908	81,283,091	45,910,999	64.05%	130,352,833	(3,447,925)

TOWN OF NEWINGTON
Status of Expenditures, by Activity (Department)
As of December 31, 2021

FUNCTION & ACTIVITY	Revised Budget FY 2021-22	Spent / Encumbered As of 12/31/21	Estimated To Be Spent/Enc. As of 6/30/22	Estimated Unencumbered Balance (Deficit) As of 6/30/22
General Government	5,914,845	3,799,061	5,834,389	31,849
Public Safety	9,351,655	4,718,848	9,480,075	(128,420)
Public Works	5,272,281	3,700,809	5,274,781	(2,500)
Community Planning & Development	539,396	257,662	549,596	(10,200)
Public Health	200,833	99,046	199,399	1,434
Community Services	1,073,975	490,830	1,081,475	(7,500)
Public Library	1,699,577	1,607,957	1,699,577	-
Parks & Recreation	1,873,932	858,760	1,819,241	54,691
Insurance-Miscellaneous	12,364,961	11,448,515	12,321,055	43,906
Debt Service	2,222,932	403,216	2,671,432	(448,500)
Metropolitan District	4,758,350	2,380,059	4,758,350	-
Capital Improvements	6,686,052	6,686,052	6,686,052	-
Equipment Reserve	1,304,312	1,304,312	1,304,312	-
Emp Leave Liab Res Fund	63,500	63,500	63,500	-
Total General Government	53,326,601	37,818,625	53,743,235	(465,241)
Board of Education (as of 10/31/20)	76,768,011	-	76,768,011	-
Total Town Budget	130,094,612	37,818,625	130,511,246	(465,241)

TOWN OF NEWINGTON
Status of Expenditures, by Activity (Department)
As of December 31, 2021

FUNCTION & ACTIVITY		Revised Budget FY 2021-22	Spent / Encumbered As of 12/31/21	Estimated To Be Spent/Enc. As of 6/30/22	Estimated Unencumbered Balance (Deficit) As of 6/30/22
100	General Government				
110	Town Council	53,642	48,607	7,200	(2,165)
120	Town Manager	569,815	358,799	513,041	56,774
130	Courts	39,992	6,214	25,725	14,267
140	Elections	172,124	87,362	167,645	4,479
150	Finance	1,579,107	1,512,866	1,594,007	(14,900)
160	Town Attorney	157,025	72,278	157,025	-
170	Town Clerk	225,572	111,027	230,227	(4,655)
180	Personnel	41,808	34,970	56,760	(14,952)
190	General Services	3,075,760	1,566,939	3,082,760	(7,000)
	Total	5,914,845	3,799,061	5,834,389	31,849
200	Public Safety				
210	Police Department	7,832,777	3,929,703	7,960,777	(128,000)
230	Fire Department	1,052,936	527,199	1,052,936	-
250	Street Lighting	300,000	119,716	300,000	-
260	Emergency Management	11,050	2,500	11,050	-
270	Emergency Medical Service	44,000	37,250	44,000	-
280	Hydrants	110,892	102,480	111,312	(420)
	Total	9,351,655	4,718,848	9,480,075	(128,420)
300	Public Works				
310	Engineering	256,241	121,664	258,741	(2,500)
320	Highway Department	2,558,598	1,188,907	2,558,598	-
350	Solid Waste Services	2,457,442	2,390,238	2,457,442	-
	Total	5,272,281	3,700,809	5,274,781	(2,500)
400	Community Planning & Development				
420	Town Planner	285,462	136,628	290,662	(5,200)
430	Town Plan & Zoning	17,703	6,974	17,703	-
440	Zoning Board Of Appeals	2,463	1,112	2,463	-
450	Building Department	223,810	109,146	228,810	(5,000)
460	Conservation Commission	5,464	3,170	5,464	-
470	Economic Development	4,494	632	4,494	-
	Total	539,396	257,662	549,596	(10,200)
500	Public Health				
510	Health Services	200,833	99,046	199,399	1,434
	Total	200,833	99,046	199,399	1,434
600	Community Services				
610	Human Services	482,278	223,226	489,778	(7,500)
640	Senior & Disabled Center	588,061	267,604	588,061	-
670	Boards And Commissions	3,636	-	3,636	-
	Total	1,073,975	490,830	1,081,475	(7,500)

TOWN OF NEWINGTON
Status of Expenditures, by Activity (Department)
As of December 31, 2021

FUNCTION & ACTIVITY		Revised Budget FY 2021-22	Spent / Encumbered As of 12/31/21	Estimated To Be Spent/Enc. As of 6/30/22	Estimated Unencumbered Balance (Deficit) As of 6/30/22
700	Public Library				
710	Library Operations	1,699,547	1,607,957	1,699,547	-
730	Hubbard Book Fund	30	-	30	-
	Total	1,699,577	1,607,957	1,699,577	-
800	Parks & Recreation				
810	Administration	242,781	35,693	250,281	(7,500)
830	Grounds Maintenance	1,631,151	823,067	1,568,960	62,191
	Total	1,873,932	858,760	1,819,241	54,691
900	Insurance-Miscellaneous				
910	Municipal Insurance	977,473	954,325	970,219	7,254
930	Greater Htfd Transit Dist	2,930	2,930	2,930	-
940	Employee Benefits	10,973,174	10,483,167	10,936,522	36,652
950	Donations & Contributions	27,500	5,000	27,500	-
960	Contingency	383,884	3,093	383,884	-
	Total	12,364,961	11,448,515	12,321,055	43,906
1000	Debt Service				
1010	Interest Expense	357,932	403,216	806,432	(448,500)
1020	Principal Payments	1,865,000	-	1,865,000	-
	Total	2,222,932	403,216	2,671,432	(448,500)
1050	Metropolitan District				
1051	Assessment	4,758,350	2,380,059	4,758,350	-
	Total	4,758,350	2,380,059	4,758,350	-
1100	Capital Improvements				
1110	Capital Improvements	6,686,052	6,686,052	6,686,052	-
	Total	6,686,052	6,686,052	6,686,052	-
2000	Equipment Reserve				
2500	Equipment Reserve	1,304,312	1,304,312	1,304,312	-
	Total	1,304,312	1,304,312	1,304,312	-
3000	Emp Leave Liab Res Fund				
3100	ELLF - Board Of Education	50,700	50,700	50,700	-
3200	ELLF - Town Operations	12,800	12,800	12,800	-
	Total	63,500	63,500	63,500	-
Total Town Government Operations		53,326,601	37,818,625	53,743,235	(465,241)



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (On behalf of Keith Chapman, Town Manager)
Date: January 20, 2022
Re: Proposed Tax Fixing Agreement at 3333 Berlin Turnpike

Grossman Development Partners LLC has requested Tax Fixing Agreement for proposed development at 3333 Berlin Turnpike. We will have available for questions and discussions, Steve Kosofsky, Town Assessor and Renata Bertotti, Town Planner to discuss the overall site development and the proposed Tax Fixing Agreements for the Residential and Commercial developments.

I have included for your review a memorandum from Renata Bertotti, AICP-Town Planner outlining the development proposed for the site.

Town Assessor, Steve Kosofsky has supplied a Tax Abatement Analysis showing the overall total abatement proposal and a breakdown from the residential and commercial developments.

Additional documents that have been supplied included site plan overviews, the Residential and Commercial Architectural Plans, and a copy of the proposed Tax Fixing Agreements. An additional report has been supplied to the Town Council under separate cover, covering the Municipal Fiscal Impact of the development.

A Resolution is proposed for the February 8, 2022 Regular Meeting to authorize the Town Manager to enter into the agreements with the developer.

Attachments:

- Memorandum from Renata Bertotti, ACIP-Town Planner, dated January 20, 2022, Re: 3333 Berlin Turnpike
- 3333 Berlin Turnpike Site Layout Overviews
- Tax Abatement Worksheet from Steve Kosofsky, Town Assessor
- Residential Architectural Plans prepared by Market Square Architects
- Commercial Architectural Plans prepared by BL Companies for Meadow Commons
- Commercial & Residential Development Tax Fixing Agreements



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 Garfield Street Newington, Connecticut 06111

Town Planner

Renata Bertotti, AICP
Town Planner

Memorandum

To: Keith Chapman, Town Manager
From: Renata Bertotti, AICP – Town Planner
Date: January 20, 2022
Subject: 3333 Berlin Turnpike

On May 26, 2021, the Newington Town Plan and Zoning Commission issued the latest in a series of approvals related to the redevelopment of 24.92 acres at the former Eversource Training site located at 3333 Berlin Turnpike. Originally consisting of four parcels of land, the property was merged into two parcels to allow for the individually owned and managed residential and commercial sites.

The site redevelopment consists of construction of five commercial buildings which will be situated on 11.6 acres fronting Berlin Turnpike and the construction of 269 apartment units located on 13.3 acres fronting Pane Road.

Commercial Development

The commercial site will be accessed at a signalized entrance of Berlin Turnpike. The proposed signal and traffic improvements on Berlin Turnpike are currently under review with CONNDOT. As noted above, the commercial site will contain five commercial buildings ranging in size from 5,250 sq. ft. to 43,228 sq. ft. The proposed uses are a mix that will include; a grocery store anchor tenant, small specialty shops, restaurants, a brew pub/restaurant, and a health/fitness club.

The commercial portion of the proposed development totals 79,721 sq. ft. of the commercial development and has 418 proposed parking spaces. This site will interconnect with the proposed residential development to the west.

Residential Development

The residential parcel will have primary access from Pane Road. This residential portion of the development will consist of three 4-story residential buildings housing

approximately 269 apartment units. The proposed apartments will be studio, one-, two- and three- bedroom units. The units will be supported by 538 proposed parking spaces. Forty-eight parking spaces will be enclosed in garages. The Commission has approved a deferral of construction of a small percent of parking, as is allowed under the regulations.

The development will include a number of amenities for the residents of the development such as indoor gathering spaces, fitness center, exterior passive and active recreation areas, swimming pool, walking paths, dog park, sitting benches etc. The proposed sidewalks will connect to the commercial parcel, allowing for pedestrian circulation between the two sites.

Site Location and Context: PD Zoning District



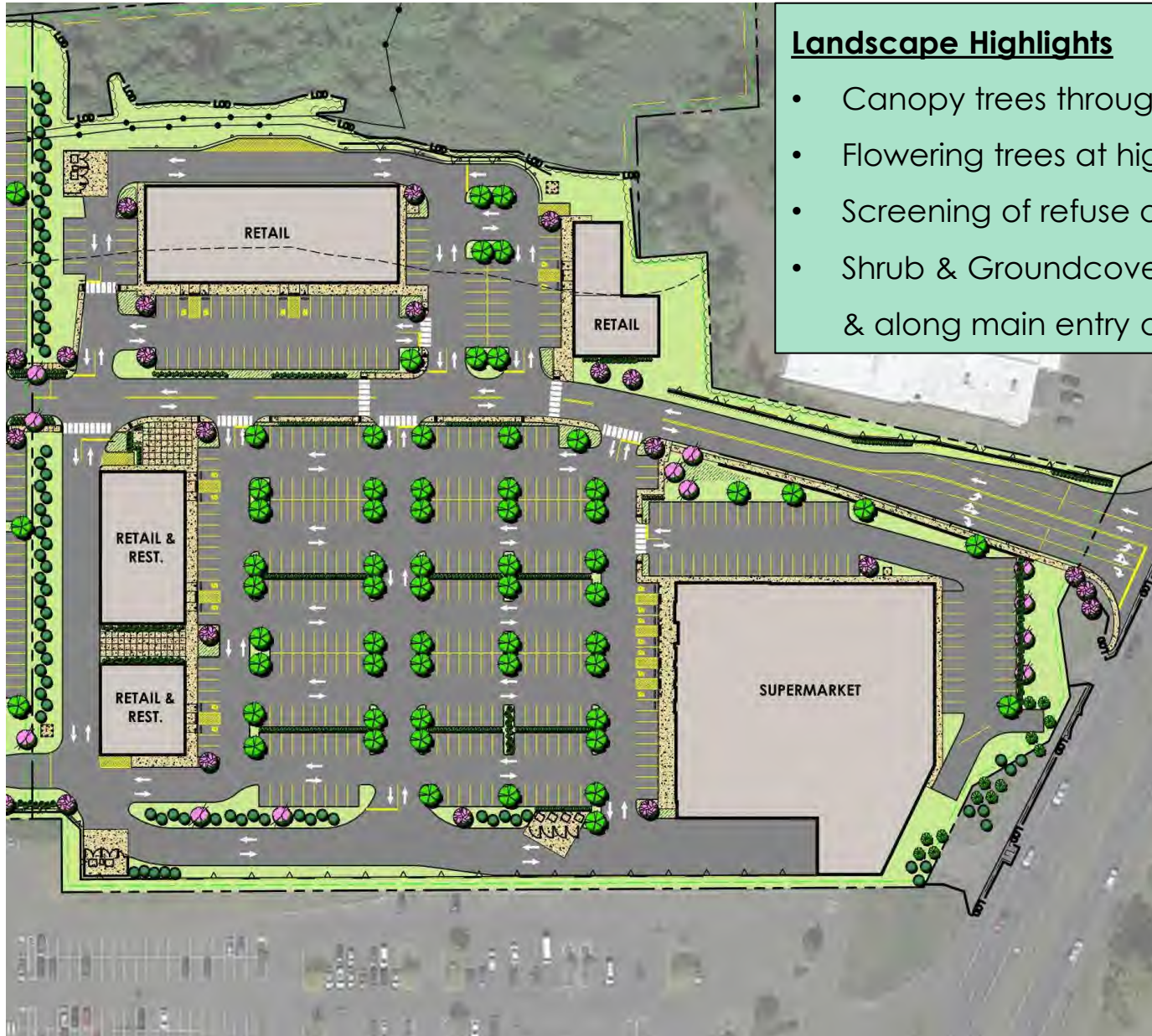
Landscape Plan



Zoning Compliance

- ✓ Parking Lot Screening
- ✓ Interior Parking Lot Landscaping (10/15%)

Landscape Plan



Landscape Highlights

- Canopy trees throughout parking lot
- Flowering trees at high visibility areas
- Screening of refuse areas
- Shrub & Groundcover plantings within islands & along main entry drive

Landscape Plan



Landscape Highlights

- Evergreen tree buffering between commercial & residential areas
- Stormwater management & wetland buffer plantings

**GROSSMAN DEVELOPMENT GROUP
3333 BERLIN TURNPIKE
TAX ABATEMENT ANALYSIS**

ESTIMATED STRAIGHT 10 YEAR ABATEMENT AT CURRENT MILL RATE: COMBINED

<u>Gross</u> <u>Investment</u>	<u>Less</u> <u>Land Cost</u>	<u>RE</u> <u>Improvements</u>	<u>Less</u> <u>Intangibles</u>	<u>Less PP</u>	<u>Net Real</u> <u>Investment</u>
100,000,000	5,000,000	95,000,000	13,000,000	0	82,000,000

<u>Year</u>	<u>Improvement</u> <u>Investment</u>	<u>Retail</u> <u>Value</u>	<u>Residential</u> <u>Value</u>	<u>Assessment</u>	<u>Mill Rate</u>	<u>Gross Tax</u>	<u>Abatement</u>	<u>Net Tax</u>	<u>%</u>
1	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
2	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
3	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
4	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
5	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
6	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
7	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
8	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
9	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
10	82,000,000	22,000,000	60,000,000	57,400,000	0.03881	\$2,227,694	\$1,113,847	\$1,113,847	50.0000%
TOTALS:						\$22,276,940	\$11,138,470	\$11,138,470	50.0000%
							50.0000%	\$11,138,470	

RETAIL ONLY

<u>Year</u>	<u>Improvement Investment</u>	<u>Retail Value</u>	<u>Residential Value</u>	<u>Assessment</u>	<u>Mill Rate</u>	<u>Gross Tax</u>	<u>Abatement</u>	<u>Net Tax</u>	<u>%</u>
1	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
2	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
3	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
4	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
5	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
6	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
7	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
8	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
9	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
10	22,000,000	22,000,000	0	15,400,000	0.03881	\$597,674	\$298,837	\$298,837	50.0000%
TOTALS:						\$5,976,740	\$2,988,370	\$2,988,370	50.0000%
							50.0000%	\$2,988,370	

RESIDENTIAL ONLY

<u>Year</u>	<u>Improvement Investment</u>	<u>Retail Value</u>	<u>Residential Value</u>	<u>Assessment</u>	<u>Mill Rate</u>	<u>Gross Tax</u>	<u>Abatement</u>	<u>Net Tax</u>	<u>%</u>
1	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
2	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
3	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
4	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
5	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
6	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
7	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
8	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
9	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
10	60,000,000	0	60,000,000	42,000,000	0.03881	\$1,630,020	\$815,010	\$815,010	50.0000%
TOTALS:						\$16,300,200	\$8,150,100	\$8,150,100	50.0000%
							50.0000%	\$8,150,100	



1 NORTH ELEVATION



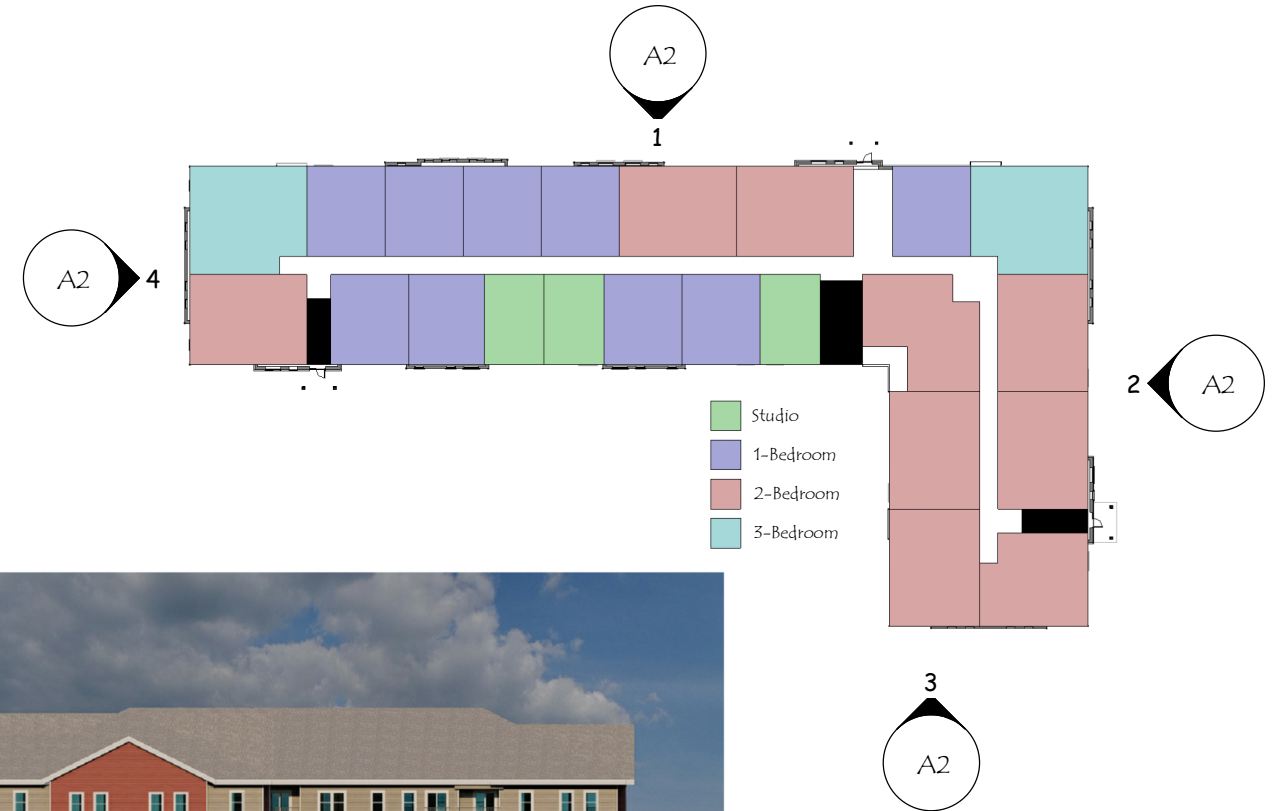
3 EAST ELEVATION



2 EAST ELEVATION

NEWINGTON CT MULTIFAMILY

3333 Berlin Turnpike
Newington, CT 06111



4 WEST ELEVATION

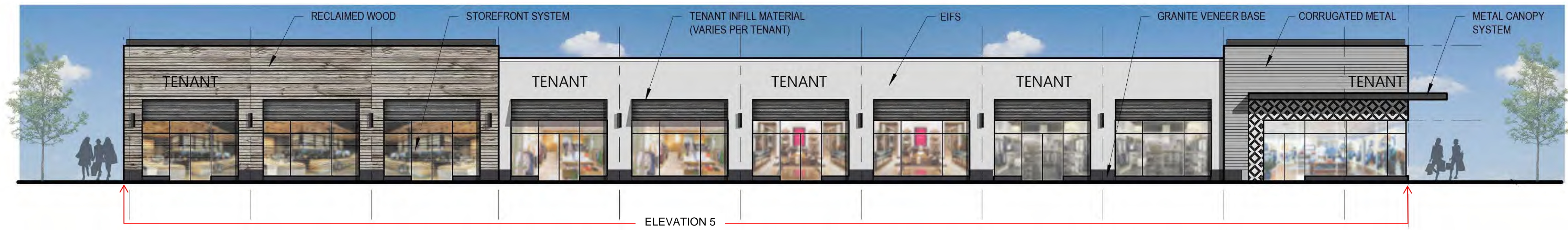


MAIN ENTRY @ CLUBHOUSE

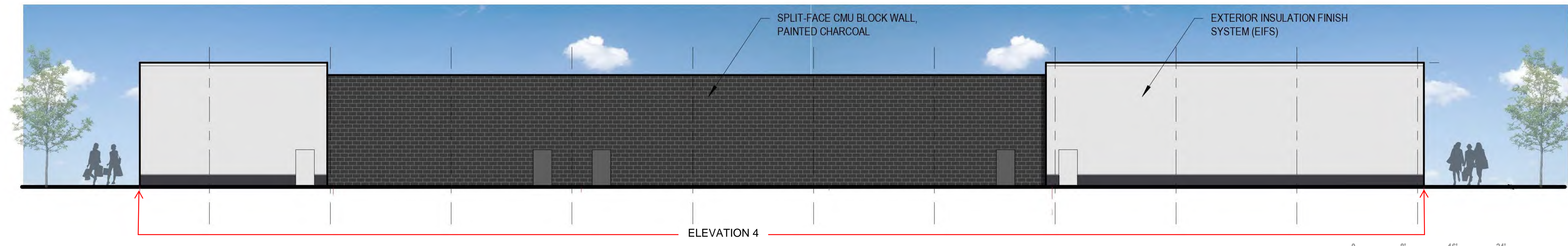
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Date: 05/03/21



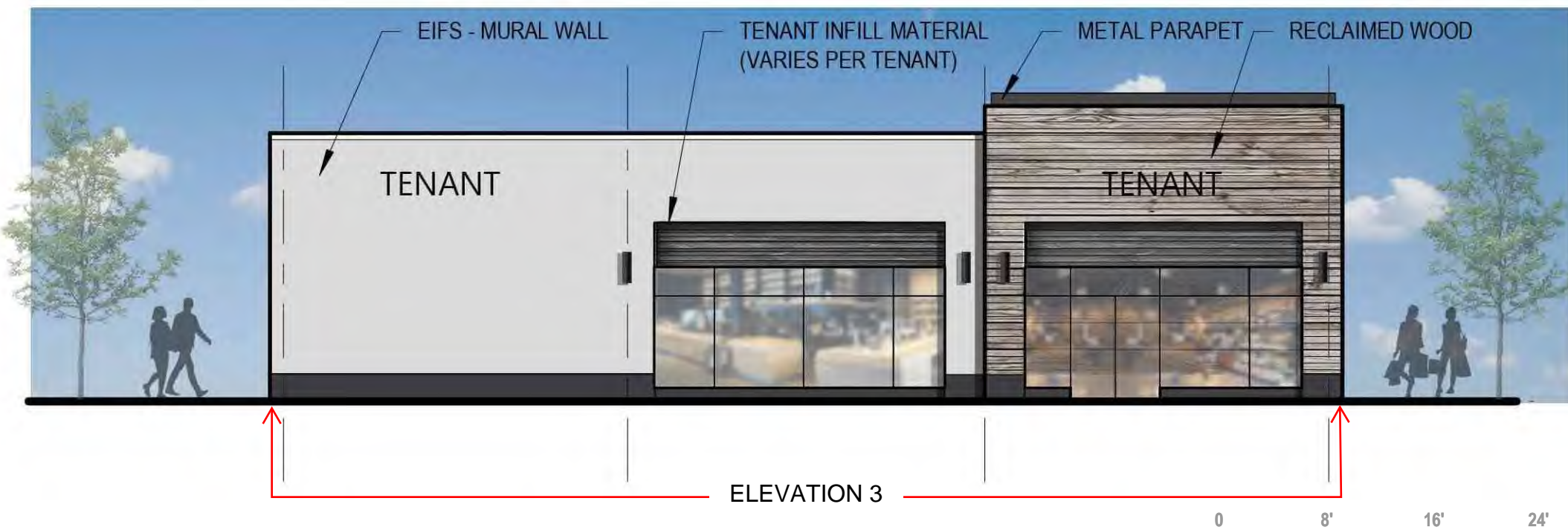
104 Congress St., STE 203
Portsmouth, NH 03801
PH: 603.501.0202



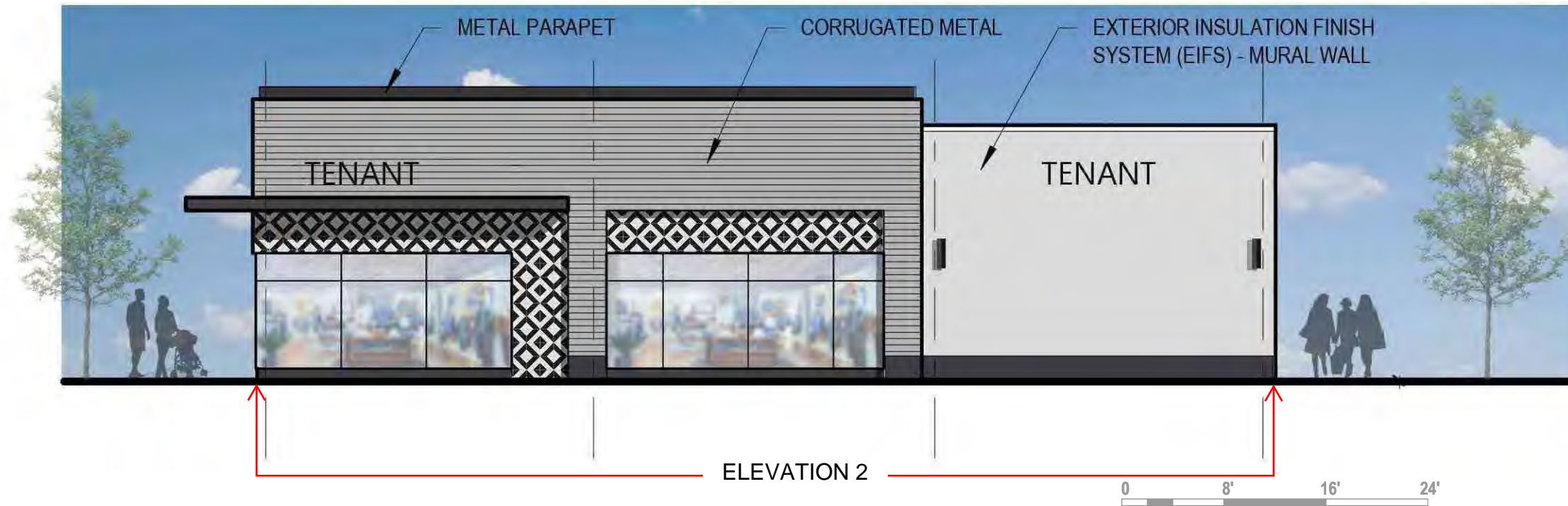
5 EXTERIOR ELEVATION - BUILDING C - FRONT



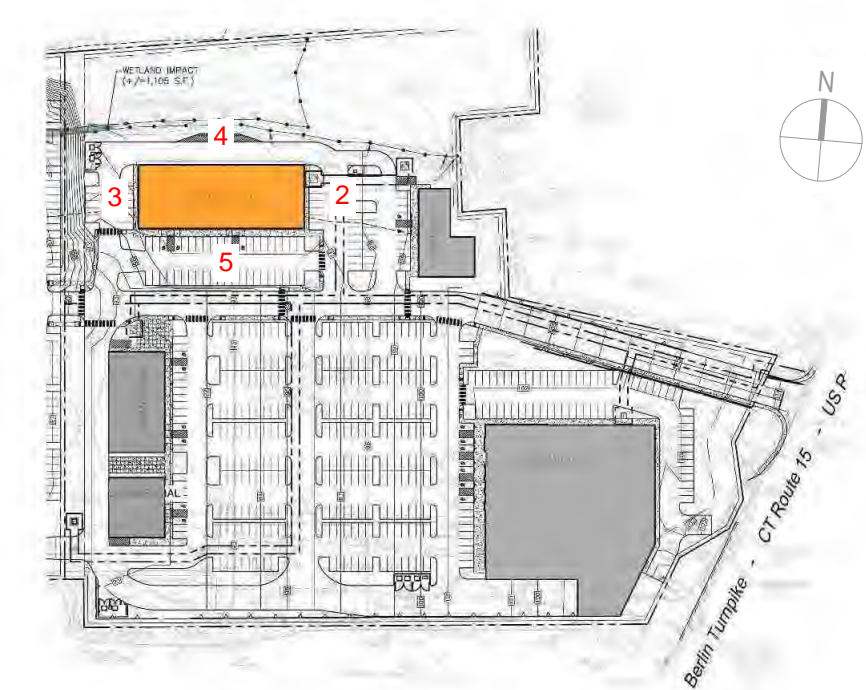
4 EXTERIOR ELEVATION - BUILDING C - REAR



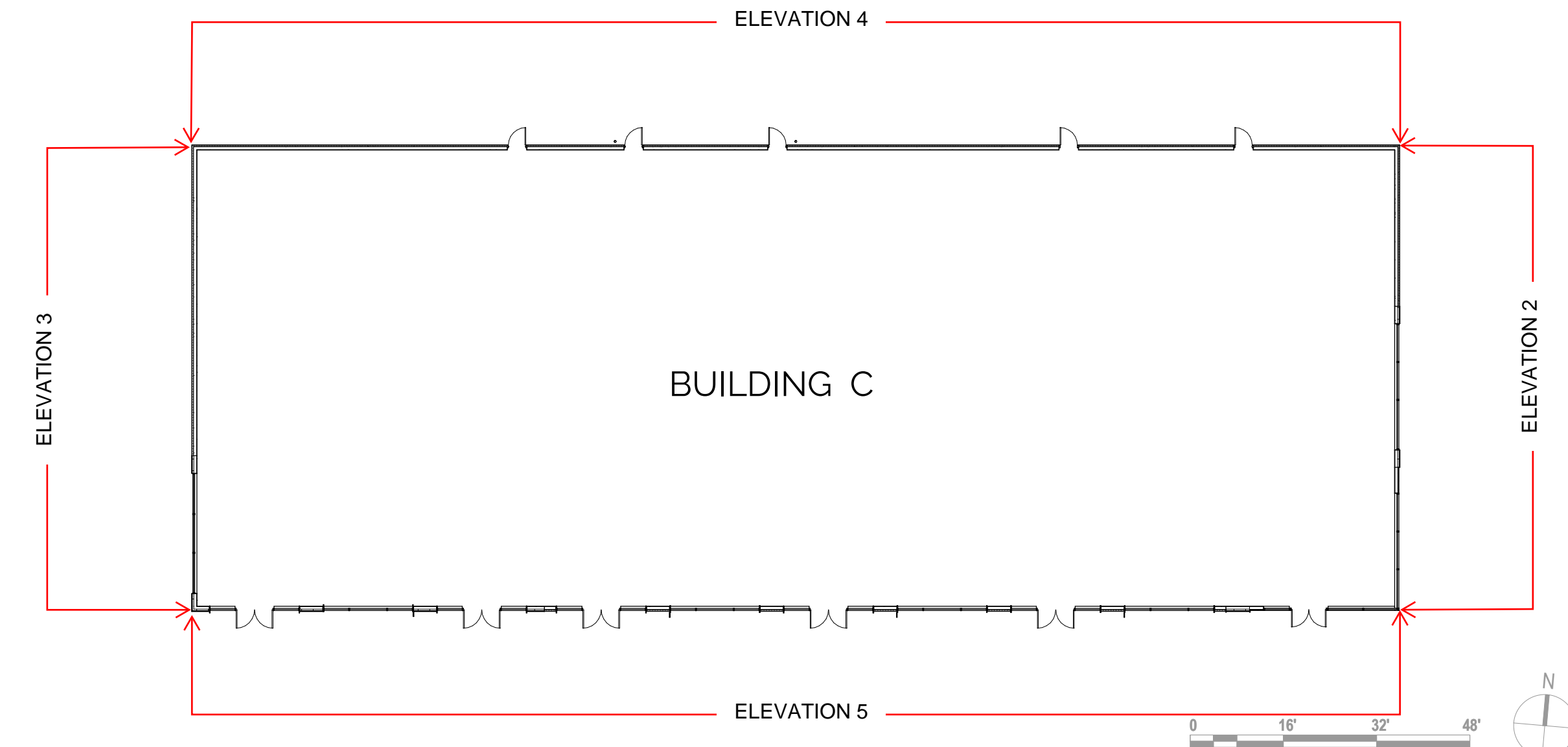
3 EXTERIOR ELEVATION - BUILDING C - SIDE 2



2 EXTERIOR ELEVATION - BUILDING C - SIDE



KEY PLAN



1 CONSTRUCTION PLAN - BUILDING C

APPROVED BY THE NEWINGTON CONSERVATION COMMISSION	APPROVED BY THE NEWINGTON TOWN PLANNING AND ZONING COMMISSION
PETITION NO. _____	APP. NO. _____
AT THE MEETING OF: _____	AT THE MEETING OF: _____
CHAIRMAN: _____	CHAIRMAN: _____
DATE: _____	DATE: _____

SEE SHEET GN-1 FOR SITE WORK GENERAL NOTES

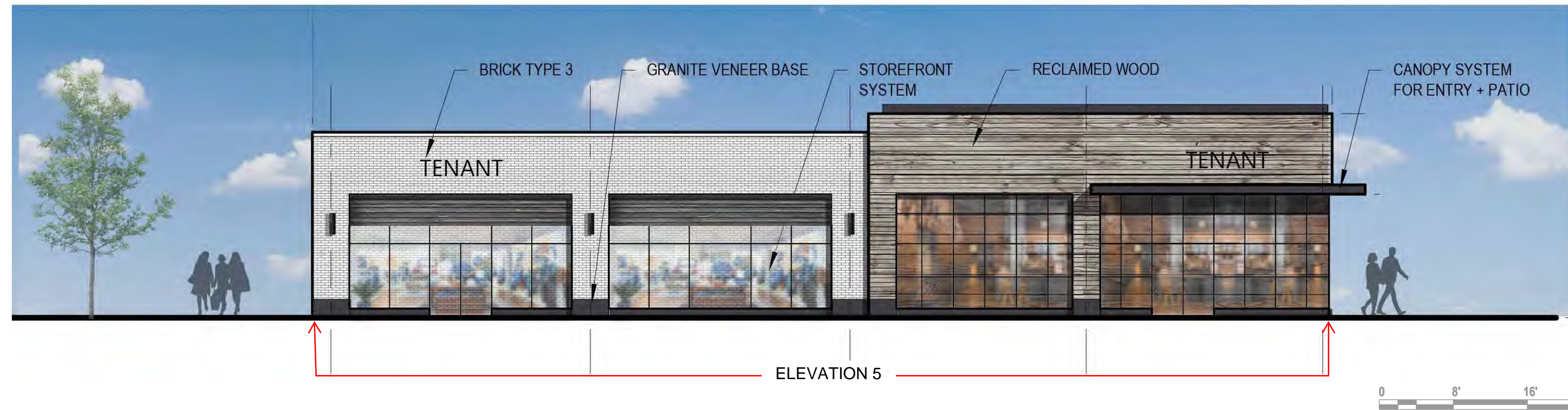
FOR PERMITTING PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION

REVISIONS		Desc.
No.	Date	

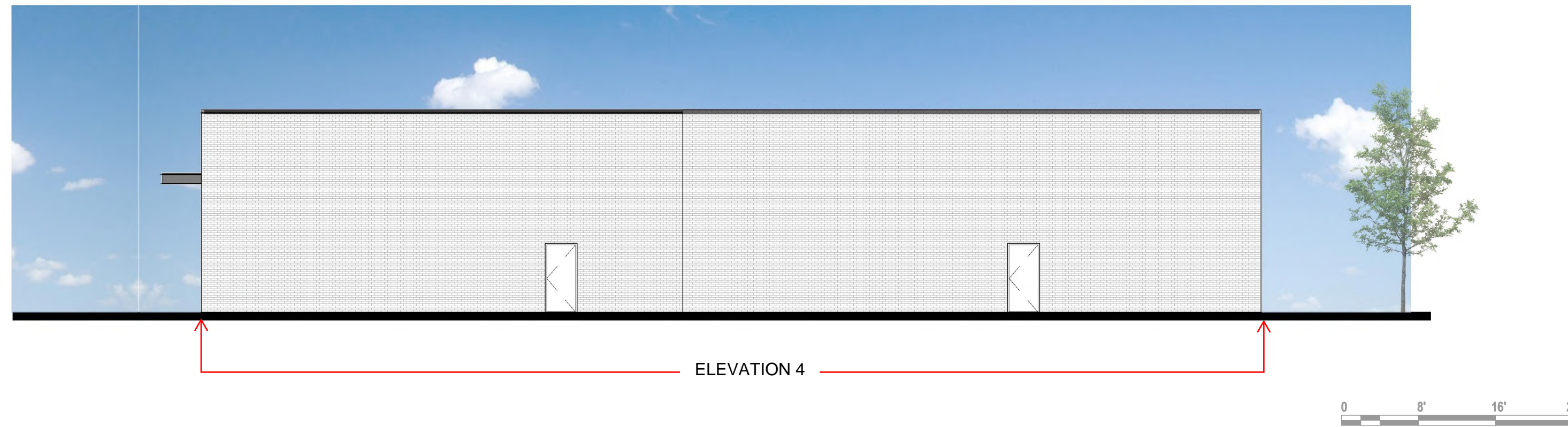
Designed	E.M.M.
Drawn	A.J.A.
Reviewed	AS NOTED
Scale	2100116
Project No.	4/30/2021
Date	
CAD File:	80210011600

Title
BUILDING C - FLOOR PLAN & ELEVATIONS

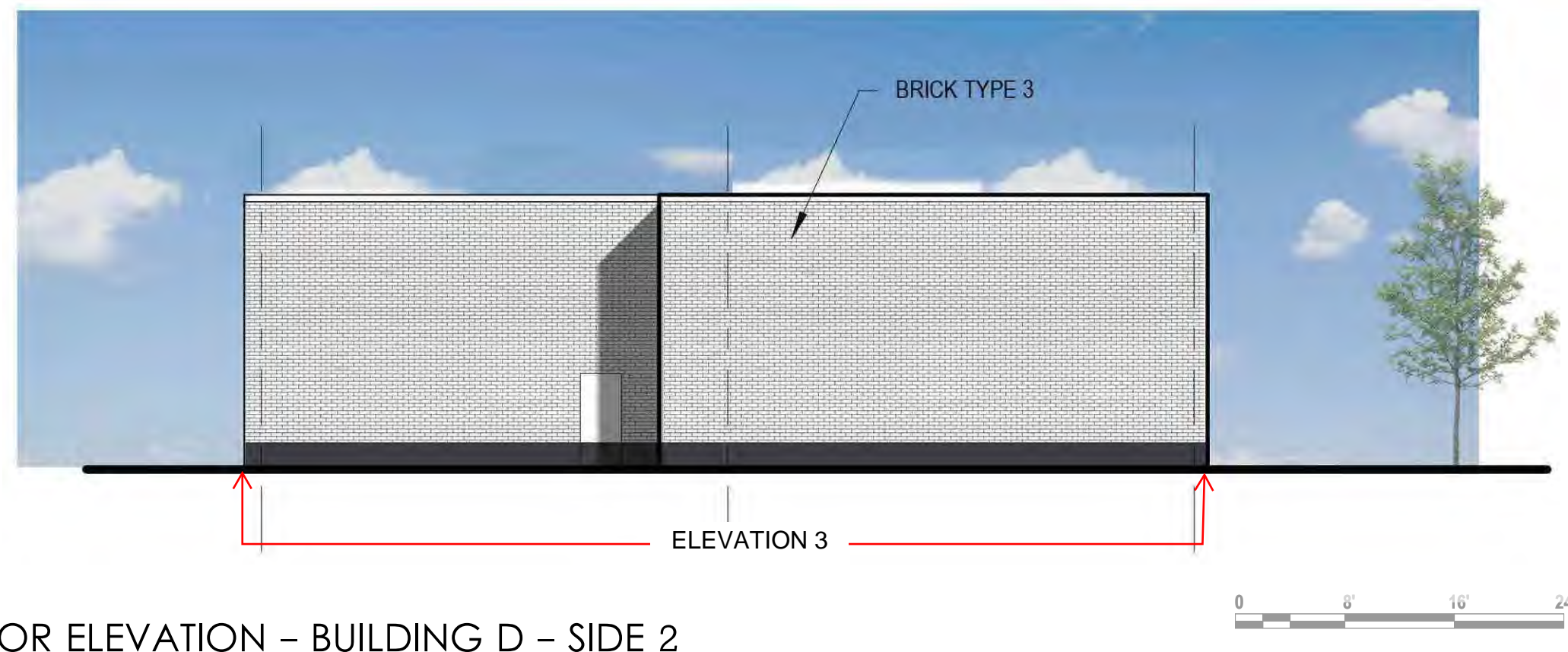
Sheet No.



5 EXTERIOR ELEVATION – BUILDING D – FRONT



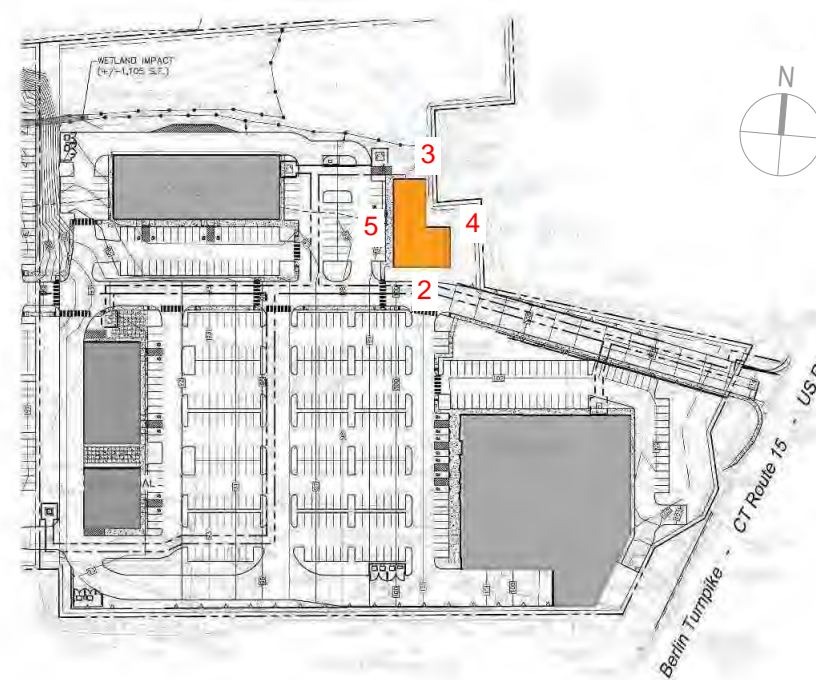
4 EXTERIOR ELEVATION – BUILDING D – REAR



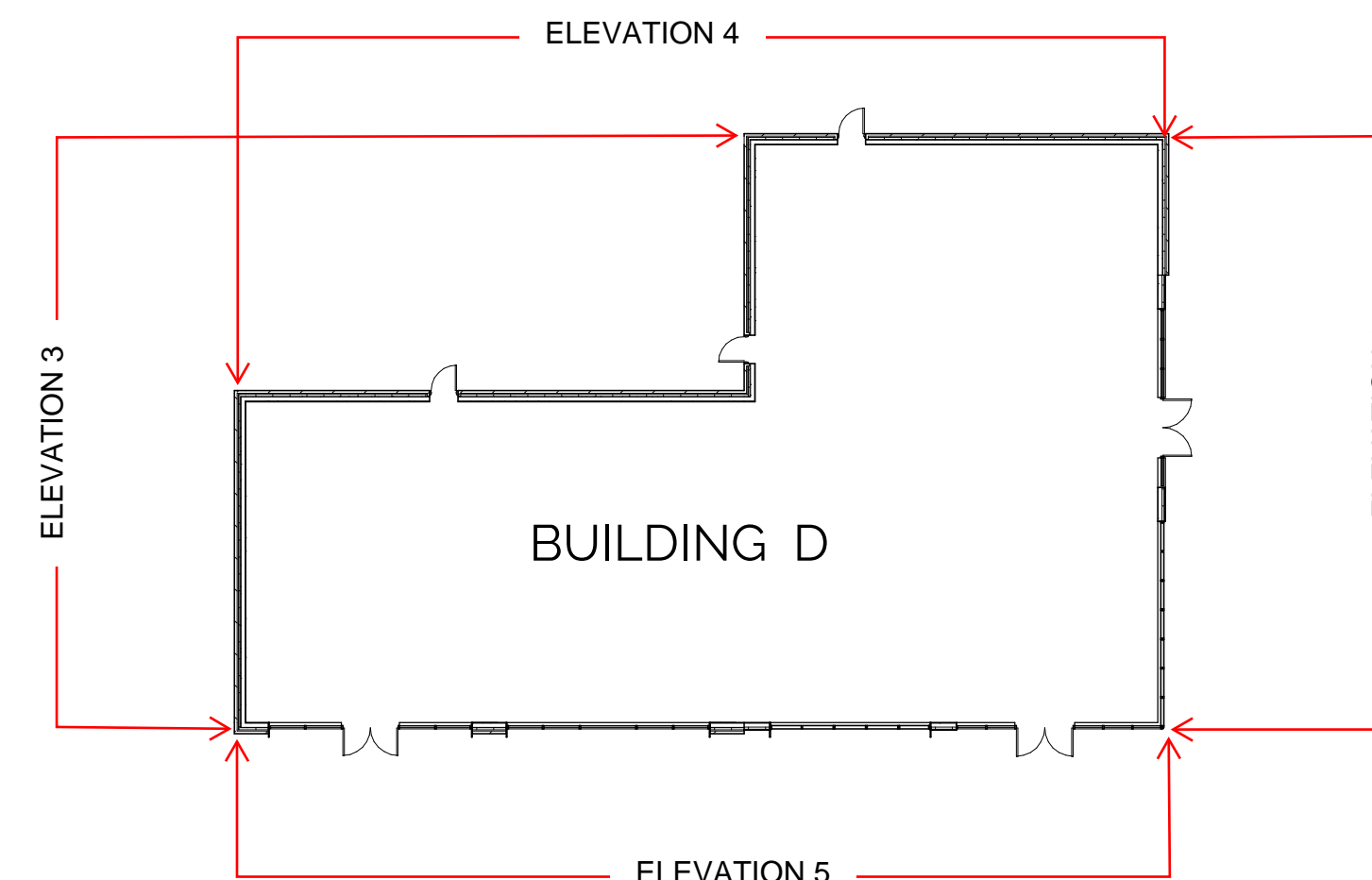
3 EXTERIOR ELEVATION – BUILDING D – SIDE 2



2 EXTERIOR ELEVATION – BUILDING D – SIDE



KEY PLAN



1 CONSTRUCTION PLAN – BUILDING D
SCALE: 3/64" = 1'-0"

APPROVED BY THE NEWINGTON CONSERVATION COMMISSION	APPROVED BY THE NEWINGTON TOWN PLANNING AND ZONING COMMISSION
PETITION NO. _____	APP. NO. _____
AT THE MEETING OF: _____	AT THE MEETING OF: _____
CHAIRMAN: _____	CHAIRMAN: _____
DATE: _____	DATE: _____

SEE SHEET GN-1 FOR SITE
WORK GENERAL NOTES

FOR PERMITTING PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION

4/12/2021 - HUNTER, G. JDR21-0001-16.DWG MODEL

MATERIAL SCHEDULE

EX1	STONEWOOD ARCHITECTURAL PANELS, 4'X8', FASHION GREY 56190-CB
EX2	STONEWOOD ARCHITECTURAL PANELS, 4'X8', GRAPHITE SPECTRUM 6726-AB
EX3	IMETCO LATITUDE 24 GA METAL SIDING, PRE-WEATHERED GALVALUME
EX4	MAPES ARCHITECTURAL CANOPIES, WHITE BAKED ENAMEL
EX5	MAPES ARCHITECTURAL CANOPIES, SW 6921 ELECTRIC LIME
EX6	FIRESTONE ALUMINUM PARAPET COPING, CLEAR ANODIZED
EX7	KAWNEER 1600 UT ALUMINUM CURTAINWALL, MATTE BLACK ANODIZED
EX8	FIRESTONE ALUMINUM PARAPET COPING, CHARCOAL
EX9	OLDCASTLE BURNISHED CMJ, 8X8X16 RUNNING BOND, COLOR 4303
EX10	OLDCASTLE CORDOVA STONE CAP, NATURALS COLLECTION - MIDNIGHT
EX11	PAINT, SW 7861 REFLECTION (DOORS & FRAME)
EX12	MAPES ARCHITECTURAL CANOPIES 'YINS', BLACK
EX13	SITE CAST CONCRETE
EX14	LOADING DOCK DOOR, WHITE
EX15	PAINT, BLACK
EX16	WALL MOUNT DOWN LIGHT, MATTE BLACK
EX17	ASSA ABLOY BESAM SL500 BI-PART SLIDING DOOR SYSTEM, MATTE BLACK ANODIZED

FINISH LEGEND

EX1	EX2
EX3	EX4
EX5	EX6
EX7	EX8
EX9	EX10
EX11	EX12
EX13	EX14
EX15	EX16
EX17	

APPROVED BY THE NEWINGTON
CONSERVATION COMMISSION

PETITION NO. _____

AT THE MEETING OF: _____

CHAIRMAN: _____

DATE: _____

APPROVED BY THE NEWINGTON TOWN
PLANNING AND ZONING COMMISSION

APP. NO. _____

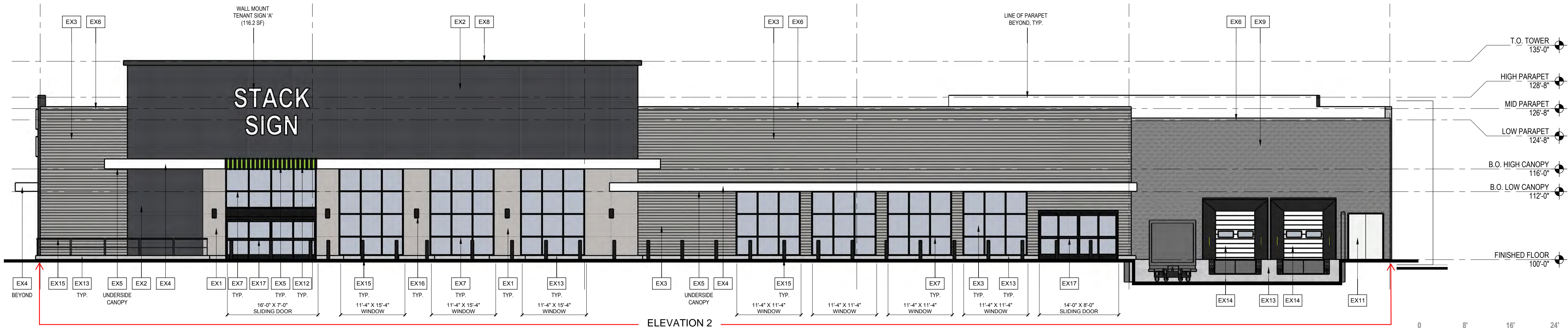
AT THE MEETING OF: _____

CHAIRMAN: _____

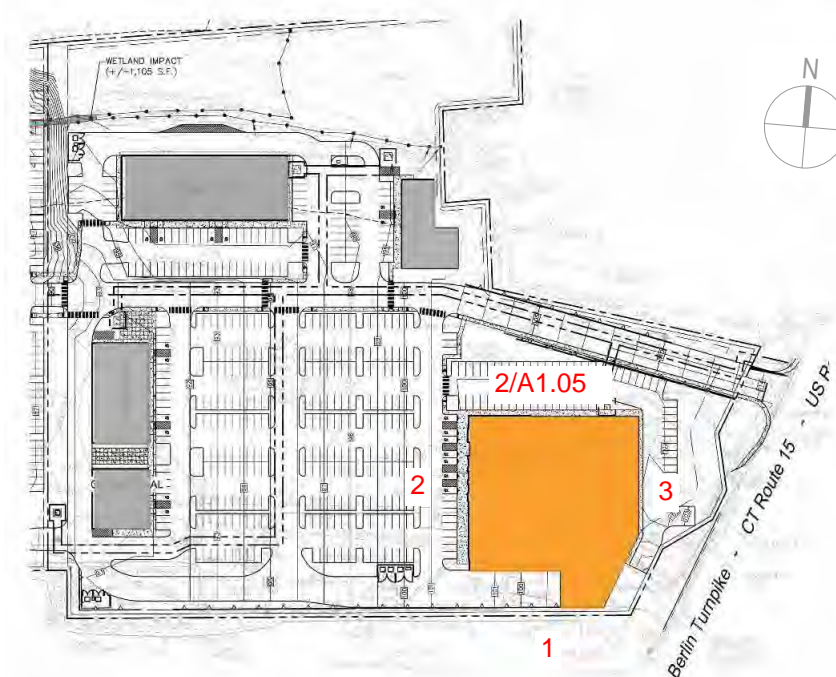
DATE: _____

SEE SHEET GN-1 FOR SITE
WORK GENERAL NOTES

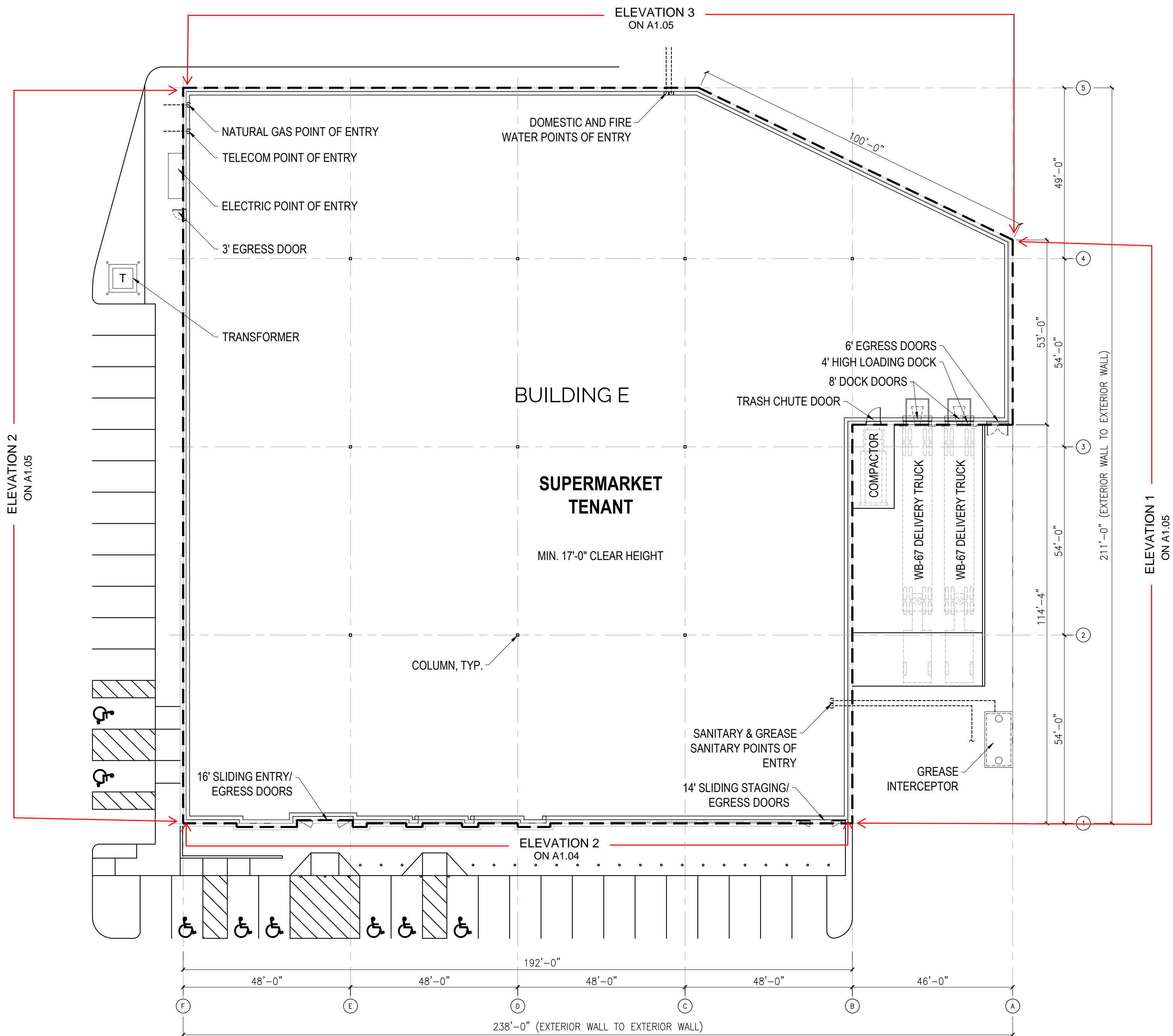
FOR PERMITTING PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION



2 EXTERIOR ELEVATION - BUILDING E - WEST



KEY PLAN



1 CONSTRUCTION PLAN - BUILDING E

TAX ASSESSMENT FIXING AGREEMENT

AGREEMENT ("Agreement") made this ____ th day of _____ and between **Grossman Development Group LLC**, a Massachusetts Limited Liability Company, **Rocky River Realty Company**, a Connecticut company, and, the **Town of Newington**, a municipal corporation located in the County of Hartford and State of Connecticut (hereinafter referred to as the "Town").

PREAMBLE

WHEREAS, Section 12-65b of the Connecticut General Statutes, as amended, provides, inter alia, that any municipality may enter into a written agreement with any party owning an interest in real property in such municipality fixing the assessment of the real property and all improvements thereon or therein and to be constructed thereon or therein for a period of not more than ten (10) years, provided the cost of such improvements to be constructed is not less than Ten Million Dollars (\$10,000,000) Dollars and are constructed for certain uses which include office, manufacturing, permanent or transient residential, retail, warehouse, storage or distribution, and structured multilevel parking in connection with a mass transit system, information technology or transportation facilities; and

WHEREAS, **Rocky River Realty Company** owns an interest in the property set forth above in, Newington, Connecticut ("Property"). Said property is more particularly bounded and described as set forth in Schedule A attached hereto and made a part hereof; and

WHEREAS, **Grossman Development Group LLC** has indicated its intent, if it receives the tax benefits herein provided for, to construct improvements to the Property which will permit it to operate a multi-unit retail Facility;

WHEREAS, such improvements, will be based upon new construction as approved by the Newington Town Planning & Zoning Commission and

WHEREAS, said Facility will contain approximately Twenty-Two Million Dollars (\$22,000,000) of fully taxable real property upon completion; and

WHEREAS, the Facility as proposed, will meet the conditions and requirements for entering tax assessment agreements contained in Section 12-65b of the Connecticut General Statutes, as amended; and

WHEREAS, as an inducement to **Grossman Development Group LLC** to construct the improvements, the Town deems it desirable to enter into an agreement fixing the assessment with respect thereto; and

WHEREAS, the *Town, Rocky River Realty Company*, and *Grossman Development Group LLC* each have full right and lawful authority to enter into this Agreement.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

ARTICLE I - UNDERTAKING

1. Compliance with Statutory Requirements. *Rocky River Realty Company and Grossman Development Group LLC* understands and acknowledges that the availability of this Agreement and the benefits to them both conferred hereby, is expressly conditioned on complying with the requirements of Section 12-65b of the Connecticut General Statutes. In the event that either (i) the aggregate cost of such improvements is not less than approximately Ten Million (\$10,000,000) Dollars, or (ii) the improvements are not used for purposes listed in Section 12-65b(b), or in any other way the terms of this Agreement do not meet the requirements of C.G.S. § 12-65b, this Agreement and the tax assessment fixed hereby shall be null and void and *Rocky River Realty Company and Grossman Development Group LLC* shall be responsible for and shall pay for the full amount of the taxes which would have been due and payable to the Town in the absence of this Agreement.

2. Cost of Improvements. Notwithstanding the provisions of Paragraph 1. of this Agreement, this Agreement is contingent upon the aggregate costs of *Rocky River Realty Company and Grossman Development Group LLC* improvements being not less than Twenty-Two Million (\$22,000,000) Dollars. This Agreement and the tax assessment fixed hereby shall be null and void *Rocky River Realty Company and Grossman Development Group LLC* shall be responsible for and shall pay for the full amount of the taxes which would have been due and payable to the Town in the absence of this Agreement.

3. Fixed Assessment Period. *The Town, Rocky River Realty Company and Grossman Development Group LLC* agree that the tax abatement on the improvements during the ten (10) consecutive years (Fixed Assessment Period) commencing with the assessment made with respect to the Grand List for the first year following the issuance of the first Temporary or Full Certificate of Occupancy by the Newington Building Official, (which ever shall be issued first) shall be fixed on the Grand List of the Town for the "Fixed Assessment Period" at Fifty (50%) Percent of the real estate taxes that would be due under the conventional method of valuation and assessment of the Town.

4. Appeal Rights Not Affected. Nothing contained herein shall be construed as waiving any right ***Rocky River Realty Company and Grossman Development Group LLC*** may have to contest or appeal any assessment made or tax imposed by any taxing authority (other than the assessment fixed hereunder) in the manner provided by law with respect to the Property, Facility, any of the improvements or any other property owned or leased by ***Rocky River Realty Company and Grossman Development Group LLC***.

5. Termination: If ***Rocky River Realty Company and Grossman Development Group LLC*** in good faith determines that it is not economically feasible to proceed with the development of the Facility, or any time during the Fixed Assessment Period, abandons or vacates the Facility, either party may terminate this Agreement upon thirty (30) days written notice thereof to the other party.

6. Property Taxes: As a condition of this agreement, ***Rocky River Realty Company and Grossman Development Group LLC*** (or its successor) agrees to keep all property taxes levied on this property current during the term of this agreement. If at any time during the term of this agreement, the property taxes on this parcel become delinquent, the taxpayer shall have thirty (30) days to bring them current.

It they fail to do so within (30) thirty days, then this agreement becomes null and void and the taxpayer shall be responsible for and shall pay for the full amount of the taxes which would have been due and payable to the Town in the absence of this Agreement.

7. Income & Expense Report: Pursuant to Section 12-63(b) and 12-63(c), of the Connecticut General Statutes, as a condition of this agreement, ***Rocky River Realty Company and Grossman Development Group LLC*** (or its successor) agrees to comply with the legal requirement of filing the annual Income & Expense Report with the Town Assessor, as prescribed by law. Failure to comply with this provision of the Connecticut General Statutes in the timeframe prescribed, will result in this Agreement to become null and void and the taxpayer shall be responsible for and shall pay for the full amount of taxes which would have been normally due and payable in the absence of this Agreement.

ARTICLE II - MISCELLANEOUS

1. Interest of Successors. The covenants and agreements herein contained shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. Any person or entity succeeding to the interest of a party shall succeed to all of such party's rights, interest and obligations hereunder, subject to all of the terms and conditions of this Agreement.

2. Right to Transfer. The obligations of *the Town, Rocky River Realty Company* and *Grossman Development Group LLC* under this Agreement are continuing obligations which shall survive transfer of all or any portion of the Property or the Facility, provided that the use of the Property continues to be in compliance with Section 12-65b of the Connecticut General Statutes, as amended.

3. Entire Agreement. This Agreement sets forth all (and is intended by the parties hereto to be an integration of all) of the promises, agreements, conditions, understandings, warranties and representations between the parties hereto with respect to the assessment of real property and imposition of real property taxes, and there are no promises, agreements, conditions, understandings, warranties or representations, oral or written, express or implied, between them with respect to said assessment and imposition other than as set forth herein.

4. Amendments: This agreement shall not be modified or amended unless in writing and signed by both parties.

5. Paragraph Headings: The paragraph headings in this Agreement are for convenience and reference only and in no way define or limit the scope or content of this Agreement or in any way affect its' provisions.

6. Severability: A ruling by any court or administrative body that a portion of this Agreement is invalid or unconstitutional shall have no effect on the other terms hereof which shall remain in full force and effect and binding on the parties hereto.

7. Applicable Law: This Agreement shall be interpreted and enforced in accordance with the laws of the State of Connecticut.

IN WITNESS WHEREOF, the parties have executed this Agreement and affixed their seals hereto, as of the day first above mentioned.

Signed and Delivered in
The presence of:

TOWN OF NEWINGTON

By _____
Keith Chapman, Town Manager

Rocky River Realty Company

By _____
Its Duly Authorize

Grossman Development Group, LLC

By _____
Its Duly Authorized

On this _____ th day of _____, 2022, before me, the undersigned, personally appeared, **Keith Chapman**, known to me (or satisfactory known to me) subscribed to the within Instrument and acknowledged that he is the Town Manager of the **Town of Newington**, and that he, in such capacity being authorized to do so, executed the same for the purposes therein contained, and acknowledged the same to be his free act and deed and the free act and deed of said **Town of Newington**, before me.

Notary Public/
Commissioner of the Superior Court

STATE OF CONNECTICUT)

ss: Newington

, 2022

COUNTY OF HARTFORD

On this _____ th day of _____, 2022, before me, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Instrument and acknowledged that he/she is the _____ of **Rocky River Realty Company**, and that he/she, in such capacity being authorized to do so, executed the same of the purposes therein contained, and acknowledged the same to be his free act and deed and the free act and deed of said **Rocky River Realty Company**, before me.

Notary Public/
Commissioner of the Superior Court

STATE OF CONNECTICUT)

ss: Newington

, 2022

COUNTY OF HARTFORD

On this _____ th day of _____, 2022, before me, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Instrument and acknowledged that he/she is the _____ of **Grossman Development Group LLC**, and that he/she, in such capacity being authorized to do so, executed the same of the purposes therein contained, and acknowledged the same to be his free act and deed and the free act and deed of said **Grossman Development Group LLC**, before me.

Notary Public/
Commissioner of the Superior Court

(STATE OF CONNECTICUT)

ss: Newington

, 2022

COUNTY OF HARTFORD

TAX ASSESSMENT FIXING AGREEMENT

AGREEMENT ("Agreement") made this ____th day of _____ and between ***Criterion Development Partners LLC***, a Massachusetts Limited Liability Company, ***Rocky River Realty Company***, a Connecticut company, and, the ***Town of Newington***, a municipal corporation located in the County of Hartford and State of Connecticut (hereinafter referred to as the "Town").

PREAMBLE

WHEREAS, Section 12-65b of the Connecticut General Statutes, as amended, provides, inter alia, that any municipality may enter into a written agreement with any party owning an interest in real property in such municipality fixing the assessment of the real property and all improvements thereon or therein and to be constructed thereon or therein for a period of not more than ten (10) years, provided the cost of such improvements to be constructed is not less than Ten Million Dollars (\$10,000,000) Dollars and are constructed for certain uses which include office, manufacturing, permanent or transient residential, retail, warehouse, storage or distribution, and structured multilevel parking in connection with a mass transit system, information technology or transportation facilities; and

WHEREAS, ***Rocky River Realty Company*** owns an interest in the property set forth above in, Newington, Connecticut ("Property"). Said property is more particularly bounded and described as set forth in Schedule A attached hereto and made a part hereof; and

WHEREAS, ***Criterion Development Partners LLC*** has indicated its intent, if it receives the tax benefits herein provided for, to construct improvements to the Property which will permit it to operate a multi-unit residential housing Facility;

WHEREAS, such improvements, will be based upon new construction as approved by the Newington Town Planning & Zoning Commission and

WHEREAS, said Facility will contain approximately Sixty Million Dollars (\$60,000,000) of fully taxable real property upon completion; and

WHEREAS, the Facility as proposed, will meet the conditions and requirements for entering tax assessment agreements contained in Section 12-65b of the Connecticut General Statutes, as amended; and

WHEREAS, as an inducement to ***Criterion Development Partners LLC*** to construct the improvements, the Town deems it desirable to enter into an agreement fixing the assessment with respect thereto; and

WHEREAS, the *Town, Rocky River Realty Company*, and *Criterion Development Partners LLC* each have full right and lawful authority to enter into this Agreement.

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

ARTICLE I - UNDERTAKING

1. Compliance with Statutory Requirements. *Rocky River Realty Company and Criterion Development Partners LLC* understands and acknowledges that the availability of this Agreement and the benefits to them both conferred hereby, is expressly conditioned on complying with the requirements of Section 12-65b of the Connecticut General Statutes. In the event that either (i) the aggregate cost of such improvements is not less than approximately Ten Million (\$10,000,000) Dollars, or (ii) the improvements are not used for purposes listed in Section 12-65b(b), or in any other way the terms of this Agreement do not meet the requirements of C.G.S. § 12-65b, this Agreement and the tax assessment fixed hereby shall be null and void and *Rocky River Realty Company and Criterion Development Partners LLC* shall be responsible for and shall pay for the full amount of the taxes which would have been due and payable to the Town in the absence of this Agreement.

2. Cost of Improvements. Notwithstanding the provisions of Paragraph 1. of this Agreement, this Agreement is contingent upon the aggregate costs of *Rocky River Realty Company and Criterion Development Partners LLC* improvements being not less than Sixty Million (\$60,000,000) Dollars. This Agreement and the tax assessment fixed hereby shall be null and void *Rocky River Realty Company and Criterion Development Partners LLC* shall be responsible for and shall pay for the full amount of the taxes which would have been due and payable to the Town in the absence of this Agreement.

3. Fixed Assessment Period. *The Town, Rocky River Realty Company and Criterion Development Partners LLC* agree that the tax abatement on the improvements during the ten (10) consecutive years (Fixed Assessment Period) commencing with the assessment made with respect to the Grand List for the first year following the issuance of the first Temporary or Full Certificate of Occupancy by the Newington Building Official, (which ever shall be issued first) shall be fixed on the Grand List of the Town for the "Fixed Assessment Period" at Fifty (50%) Percent of the real estate taxes that would be due under the conventional method of valuation and assessment of the Town.

4. Appeal Rights Not Affected. Nothing contained herein shall be construed as waiving any right ***Rocky River Realty Company and Criterion Development Partners LLC*** may have to contest or appeal any assessment made or tax imposed by any taxing authority (other than the assessment fixed hereunder) in the manner provided by law with respect to the Property, Facility, any of the improvements or any other property owned or leased by ***Rocky River Realty Company and Criterion Development Partners LLC***

5. Termination: If ***Rocky River Realty Company and Criterion Development Partners LLC*** in good faith determines that it is not economically feasible to proceed with the development of the Facility, or any time during the Fixed Assessment Period, abandons or vacates the Facility, either party may terminate this Agreement upon thirty (30) days written notice thereof to the other party.

6. Property Taxes: As a condition of this agreement, ***Rocky River Realty Company and Criterion Development Partners LLC*** (or its successor) agrees to keep all property taxes levied on this property current during the term of this agreement. If at any time during the term of this agreement, the property taxes on this parcel become delinquent, the taxpayer shall have thirty (30) days to bring them current.

It they fail to do so within (30) thirty days, then this agreement becomes null and void and the taxpayer shall be responsible for and shall pay for the full amount of the taxes which would have been due and payable to the Town in the absence of this Agreement.

7. Income & Expense Report: Pursuant to Section 12-63(b) and 12-63(c), of the Connecticut General Statutes, as a condition of this agreement, ***Rocky River Realty Company and Criterion Development Partners LLC*** (or its successor) agrees to comply with the legal requirement of filing the annual Income & Expense Report with the Town Assessor, as prescribed by law. Failure to comply with this provision of the Connecticut General Statutes in the timeframe prescribed, will result in this Agreement to become null and void and the taxpayer shall be responsible for and shall pay for the full amount of taxes which would have been normally due and payable in the absence of this Agreement.

ARTICLE II - MISCELLANEOUS

1. Interest of Successors. The covenants and agreements herein contained shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. Any person or entity succeeding to the interest of a party shall succeed to all of such party's rights, interest and obligations hereunder, subject to all of the terms and conditions of this Agreement.

2. Right to Transfer. The obligations of *the Town, Rocky River Realty Company* and *Criterion Development Partners LLC* under this Agreement are continuing obligations which shall survive transfer of all or any portion of the Property or the Facility, provided that the use of the Property continues to be in compliance with Section 12-65b of the Connecticut General Statutes, as amended.

3. Entire Agreement. This Agreement sets forth all (and is intended by the parties hereto to be an integration of all) of the promises, agreements, conditions, understandings, warranties and representations between the parties hereto with respect to the assessment of real property and imposition of real property taxes, and there are no promises, agreements, conditions, understandings, warranties or representations, oral or written, express or implied, between them with respect to said assessment and imposition other than as set forth herein.

4. Amendments: This agreement shall not be modified or amended unless in writing and signed by both parties.

5. Paragraph Headings: The paragraph headings in this Agreement are for convenience and reference only and in no way define or limit the scope or content of this Agreement or in any way affect its' provisions.

6. Severability: A ruling by any court or administrative body that a portion of this Agreement is invalid or unconstitutional shall have no effect on the other terms hereof which shall remain in full force and effect and binding on the parties hereto.

7. Applicable Law: This Agreement shall be interpreted and enforced in accordance with the laws of the State of Connecticut.

IN WITNESS WHEREOF, the parties have executed this Agreement and affixed their seals hereto, as of the day first above mentioned.

Signed and Delivered in
The presence of:

TOWN OF NEWINGTON

By _____
Keith Chapman, Town Manager

Rocky River Realty Company

By _____
Its Duly Authorize

Criterion Development Partners, LLC

By _____
Its Duly Authorized

On this _____ th day of _____, 2022, before me, the undersigned, personally appeared, **Keith Chapman**, known to me (or satisfactory known to me) subscribed to the within Instrument and acknowledged that he is the Town Manager of the **Town of Newington**, and that he, in such capacity being authorized to do so, executed the same for the purposes therein contained, and acknowledged the same to be his free act and deed and the free act and deed of said **Town of Newington**, before me.

Notary Public/
Commissioner of the Superior Court

STATE OF CONNECTICUT)

COUNTY OF HARTFORD

ss: Newington

, 2022

On this _____ th day of _____, 2022, before me, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Instrument and acknowledged that he/she is the _____ of **Rocky River Realty Company**, and that he/she, in such capacity being authorized to do so, executed the same of the purposes therein contained, and acknowledged the same to be his free act and deed and the free act and deed of said **Rocky River Realty Company**, before me.

Notary Public/
Commissioner of the Superior Court

STATE OF CONNECTICUT)

COUNTY OF HARTFORD

ss: Newington

, 2022

On this _____ th day of _____, 2022, before me, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within Instrument and acknowledged that he/she is the _____ of **Criterion Development Partners LLC**, and that he/she, in such capacity being authorized to do so, executed the same of the purposes therein contained, and acknowledged the same to be his free act and deed and the free act and deed of said **Criterion Development Partners LLC**, before me.

Notary Public/
Commissioner of the Superior Court

(STATE OF CONNECTICUT)

COUNTY OF HARTFORD

ss: Newington

, 2022



Keith Chapman
Town Manager

TOWN OF NEWINGTON

200 GARFIELD STREET
NEWINGTON, CONNECTICUT 06111

OFFICE OF THE TOWN MANAGER

MEMORANDUM

To: Newington Town Council
From: James E. Krupienski, Town Clerk (on behalf of Keith Chapman, Town Manager)
Date: January 20, 2022
Re: Discussion – Possible Action Under §C-412 of the Town of Newington Charter

This item has been added to allow for discussion regarding possible action under §C-412 of the Town of Newington Charter. We have received requests from Staff Commission Liaisons to request the removal of appointed officials to attend the required percent of meeting, as outlined in the “Information and Guidelines for Boards, Committees & Commissions” Booklet, Section **4.4 Attendance**.

I have included a copy of each relevant sections of the Charter and booklet for your reference.

Attachments:

- Excerpt – Newington Charter, Article IV, Chapter C-412 Removals and Suspensions
- Excerpt – BCC Booklet, Section 4.4 Attendance

Newington Charter
Article IV: The Council

§ C-412 Removals and Suspensions.

- A. The Council shall have the power with not less than six affirmative votes by resolution, in its sole discretion with or without cause, to remove or suspend the Manager and shall have the power, for cause, to remove or suspend any person appointed to any other office or position by the Council.
- B. The Council shall act first by suspending such person and promptly serving such person with a copy of the resolution of suspension together with the reasons that constitute cause where required in Subsection A. If within 10 days after service of said resolution such person shall file a request in writing with the Town Clerk for a public or private hearing before the Council, the hearing requested shall be held at a time and place set by the Council, not less than five days nor more than 15 days after the filing of the request. At such hearing the person may be represented by counsel. If no hearing is requested, or at the conclusion of the hearing, the Council shall promptly, by resolution, terminate the suspension and either restore the person to or remove him/her from the office or employment. During the period of suspension any such person shall be ineligible to perform the duties of the office or employment. Compensation, if any, shall be continued during the period of suspension or for 30 days from the date of suspension, whichever is longer. There shall be no appeal from the decision of the Council.

4.4 Attendance

The Town Council's official policy is that members and alternates of BCC's must attend at least 75% of all posted meetings of the BCC, for the calendar year. The chairperson of each BCC is required by the Town Council to submit a bi-annual report of the attendance of all members, on a form provided by the Town Manager's office, and made part of the BCC's record.

If you are unable to attend the meeting you **MUST** notify the Chairperson prior to the start of the meeting. If members of the committee are not attending regularly, the chairperson should discuss this matter immediately with the individual. If discussions do not produce improvement, the Town Council will take action in accordance with the [Town Charter §C-412](#).

Excused absences shall be defined as those which meet both of the following requirements:

- a) The absent member informed the BCC chair of their intended absence prior to the scheduled meeting (unless extenuating circumstances prevent advance notice), and
- b) The absence is due to circumstances such as death in the family, family or personal illness, accident, scheduled vacations, business commitment or other unusual or unforeseen circumstances.

AGENDA ITEM: IX.A

DATE: 1/25/2022

RESOLUTION NO.: 2022-

RESOLVED:

That the Newington Town Council here by makes the following appointment(s):

Balf-Town Committee

7 members, 3 alternates: 2 NTC, 1 Env. Comm., 2 residents, 2 Balf Reps

Party Max: 5 regular, 2 alternates

Name	Address	Party	Term	Replaces
R. Clark Castelle Alt Neighborhood Rep	167 Connecticut Avenue	D	1/25/2022 – 11/30/2024	Vacancy-Resignation of M Udice

Board of Assessment Appeals

3 members – 4 year term

Party Max: 2

Name	Address	Party	Term	Replaces
Frederick Callahan Member	99 Cedarwood Lane	D	1/25/2022 – 11/30/2025	Reappointment – Self

Commission on Aging and Disabled

9 Members – three-year terms

Party Max: 6

Name	Address	Party	Term	Replaces
Maureen B. Lynch Member	165 Foxboro Drive	D	1/25/2022 – 11/30/2023	Reappointment – Self
Kathleen Sobieski Member	26 Deepwood Drive	D	1/25/2022 – 11/30/2024	Reappointment – Self
Marc Franz Member	288 Williamstown Court	D	1/25/2022 – 11/30/2023	DeFacto term of T Lapenta-Duffek

Conservation /Inland Wetlands Commission

7 Members; 3 Alternates; Staggered 4-year terms

Member Max: 5; Alternate Max: 2

Name	Address	Party	Term	Replaces
John Casasanta Member	86 Indian Hill Road	D	1/25/2022 – 11/30/2025	Reappointment – Self
Alan Paskewich Member	100 Cambria Avenue	D	1/25/2022 – 11/30/2025	Reappointment - Self

Development Commission

9 Members, 3 Alternates; 3-year term - staggered

Party Max.: 6 members, 2 alternates

Name	Address	Party	Term	Replaces
Meredith (Meri) Beatrice Member	158 Hartford Avenue	D	1/25/2022 – 11/30/2023	Vacancy-Resignation of F Rosa

Employee Insurance and Pension Benefits Committee

9 members: 5 specialists, 2 NTC, 2 BOE: 2 alternates

2-year term (specialists)

Party Max.: 6 members, 1 alternate

Name	Address	Party	Term	Replaces
R Clark Castelle Alternate	167 Connecticut Avenue	D	1/25/2022 – 11/30/2022	Vacancy, Resignation of J Slater

Environmental Quality Commission 2016

7 members: 5 Public, 2 Industry, 2 NTC Liaisons

2-year term

Party Max.: 5

Name	Address	Party	Term	Replaces
Karen Serio Public Member	74 Fox Run Court	D	1/25/2022 – 11/30/2025	Reappointment – Self

Human Rights Commission

9 members; 3 year term

Party max: 6

Name	Address	Party	Term	Replaces
Liza Andrews Member	92 Centerwood Road	D	1/25/2022 – 11/30/2024	Reappointment – Self

Library Board

6 appointed members (plus 9 corp. trustees); 6-year term

Party max: 4

Name	Address	Party	Term	Replaces
Fiona York Member	150 Dowd Street	D	1/25/2022 – 11/30/2027	Vacancy – Resignation of P Kruk

Open Space Committee 2015

7 members; 4-year terms

Party Max: 5

2-NTC, 5 Residents

Name	Address	Party	Term	Replaces
Gia Georgette Pascarelli Member	62 Welles Drive North	D	1/25/2022 – 11/30/2025	Replaces Term Expiration of S Dunning

Parks and Recreation Board

11 members; 4-year term

Party Max.: 8

Name	Address	Party	Term	Replaces
Eileen Francolino Member	116 Lydall Road	D	1/25/2022 – 11/30/2025	Reappointment - Self
Timothy Hutvagner Member	32 Old Hatchery Road	D	1/25/2022 – 11/30/2025	Replaces Term Expiration of J Win-Johnson
Edward A. Marchion Member	891 Willard Avenue	D	1/25/2022 – 11/30/2025	Reappointment – Self
Donald Francis Woods Member	82 Ivy Lane	D	1/25/2022 – 11/30/2025	Reappointment - Self

Standing Insurance Committee

9 members, 2 NTC, 2 BOE, 2 Casualty/Claim or Engineering, 3 Underwriters; 2 alternates

2-year term

Party Max.: 6

Name	Address	Party	Term	Replaces
Jonathan Trister Alternate	81 Woodland Street	D	1/25/2022 – 11/30/2023	Reappointment – Self

Town Plan & Zoning Commission

7 Members, 3 Alternates

Party Max: 5 Regular, 2 Alternates

4 Year Term

Name	Address	Party	Term	Replaces
Jonathan Trister Member	81 Woodland Street	D	1/25/2022 – 11/30/2025	Replaces DeFacto term of M Fox
Stephen R. Woods Member	94 New Britain Avenue	D	1/25/2022 – 11/30/2025	Reappointment – Self

Vehicle Appeals Board

3 Members – 2-year term, 2 Alternates – 2-year term

Members Max: 2; Alternate Max: 1

Name	Address	Party	Term	Replaces
R. Clarke Castelle Alternate	167 Connecticut Avenue	D	1/25/2022 – 11/30/2023	Reappointment – Self
Kevin Borrup Member	16 Broadview Street	D	1/25/2022 – 11/30/2023	Expiration of T Lapenta- Duffek

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

AGENDA ITEM: X.A

DATE: 1/25/2022

RESOLUTION NO. 2022-

RESOLVED:

That property tax refunds in the amount of \$ 4,206.10 are hereby approved in the individual amounts and for those named on the "Requests for Refund of an Overpayment of Taxes," certified by the Revenue Collector, a list of which is attached to this resolution.

MOTION BY: _____

SECONDED BY: _____

VOTE: _____

TAX REFUNDS – January 25th, 2022

Bokan, Hedwig 52 Puritan Ln Newington, CT 06111	\$ 137.38
Gilligan-Ramsey, Nicole or Ryan 272 Cedarwood Ln Newington, CT 06111	\$ 257.77
JP Morgan Chase Chase Auto Finance PO Box 901098 Fort Worth, TX 76101-2098	\$ 200.57
JP Morgan Chase Chase Auto Finance PO Box 901098 Fort Worth, TX 76101-2098	\$ 847.84
JP Morgan Chase Chase Auto Finance PO Box 901098 Fort Worth, TX 76101-2098	\$ 536.74
JP Morgan Chase Chase Auto Finance PO Box 901098 Fort Worth, TX 76101-2098	\$ 629.85
JP Morgan Chase Chase Auto Finance PO Box 901098 Fort Worth, TX 76101-2098	\$ 501.73
Morris, William 84 Black Birch Rd Wethersfield, CT 06109	\$ 254.59
Newton, Ryan 75 Barnard Dr Newington, CT 06111	\$ 723.81
Pandya, Shanker 58 Pepper Bush Ln Newington, CT 06111	\$ 22.13
Rego, Ernesto 202 Buena Vista Ave Newington, CT 06111	\$ 93.69
TOTAL	\$4,206.10